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## The Solicitors' Journal.

LONDON, OCTOBER 19, 1867.

A RECENT NUMBER of the *British Medical Journal* contains the following remarks, suggested by a vacancy in the office of coroner for South Somersetshire:—

"The position of a coroner, who is called upon to receive and appreciate medical evidence without the assistance of advocates or of any counter or cross-examination, to determine upon the necessity for an inquiry, and to conduct it with the aid of a medical man only, or without any such aid, according as his knowledge guides him, is such that the duties of the office can never be satisfactorily performed by any person who has not received a medical education. A legal mind may be capable of receiving statements and counter statements of a technical character, and arriving at the truth by contrasting the two; but in the coroner's court there is constantly technical statement without counter statement, and the coroner is helplessly in the hands of the medical witness. The coroner's court is one of primary inquiry into the cause of death, not of trial for any kind of offence. This is essentially a medical inquiry. The astonishing inquisition into a case of death by the local application of thirty grains of morphia, which was found by a legal coroner and his jury to be a death from natural causes is only one of many examples of the utter failure of the inquiry so presided over; and if the experience of our brethren of the failures of justice, and the ludicrous blunders constantly occurring under the presiding of legal coroners, were given, this court, so conducted, would fall into just contempt."

As to the first statement made by our contemporary, we need not point to the efficiency with which the duties of the office in question are weekly and daily discharged in all parts of the kingdom by gentlemen of legal but not medical education. That, however, is not the manner in which we wish to look at the question. There have been and are medical gentlemen who, favoured with an exceptional amount of ability, have overcome the disadvantages which the want of proper professional training has placed to their account; but when the nature of a coroner's function is strictly examined, it is at once evident that the training, which the lawyer receives in the course of his professional education and practice, is the best and the proper qualification for a coroner's office. A coroner has to weigh evidence, to sift evidence, and to superintend, and if needs be, take into his own hands, the examination of witnesses. Necessarily therefore a gentleman whose professional training has taught him how the truth may be extracted from unwilling, stupid, or mendacious witnesses, and given him a thorough acquaintance with the laws of evidence, is the right man for such an office. Indeed one can scarcely imagine anything more "helpless" than the position of a gentleman of "medical" education, surrounded by jury, witnesses, and perhaps two or three legal gentlemen engaged in "watching" proceedings, striving hard to arrive at some satisfactory conclusion in a Thames running-down case, or to eliminate the real facts as to an Irish row. In most cases a little of that quick discernment, and expertness which the lawyer acquires in his daily practice, coupled with his acquaintance with the law of evidence, would be worth the medical knowledge of half-a-dozen physicians rolled into one. When we bear in mind what is the effect and the

import of a verdict of homicide brought in by a coroner's jury against any individual, this becomes additionally evident. As to a coroner's inquest being a "medical inquiry," a coroner who has received the legal training we speak of is perfectly well qualified to weigh the evidence and superintend the examination of the proper medical witnesses. Would our contemporary contend that her Majesty's judges are incompetent to superintend the examinations, and to charge the jury upon the evidence, in a poisoning case where medical evidence is brought forward? Further than this, a coroner's inquiry, involving, as it does, an inquiry into the conduct of individuals, is by no means invariably a "medical inquiry," to say nothing of those cases in which the verdict of a coroner's jury depends upon rules of law with respect to negligence, or legal regulations affecting land and sea traffic?

Our contemporary speaks of "failures of justice" at inquests conducted by legal coroners. If his "brethren" were in possession of such constantly recurring instances of this, we hardly believe that they would be withheld from our contemporary's pages; but supposing the fact to be otherwise, and that under legally educated coroners, verdicts absurd to the medical mind are returned, what is the deduction? Is the judge of assize to blame whenever a jury returns a ridiculous verdict? If medical witnesses would give their evidence in a clearer manner we believe that coroners' juries would find their deliberations materially assisted, and would return far better verdicts than they now do. Summoned as medical witnesses necessarily are at hap-hazard, it must often happen that the gentleman called has but an imperfect acquaintance with the learning of his profession, and by consequence takes refuge in shallow technicalities which simply bewilder the minds of the jury. One of the heads of the profession would probably deliver his evidence in a simpler way, but those whose learning is less deep frequently persist in employing scientific expressions where plain English would do equally well.

We have before now suggested the adoption in England of a plan, already in partial operation in Scotland, by which a staff of competent surgeons would be retained to co-operate with each coroner as medical witnesses. Such a scheme might easily be carried into effect, and we believe that its adoption would be extremely beneficial.

THE *Indian Daily News* (Calcutta) understands that the Government of India has suggested to the Commander-in-Chief of the army the advisability of appointing a barrister of standing to the post of Judge Advocate-General, the salary of which, it is supposed, will be from £3,000 to £3,600 per annum.

THE SALARY of Mr. Andrew T. Squarey, who has been elected solicitor to the Mersey Docks and Harbour Board, is £2,000 for the first year, and afterwards £2,500 per annum, but with no retiring pension. A retiring allowance of £1,000 has been granted to Mr. John North, whom Mr. Squarey succeeds.

AT THE LATE MEETING of the Metropolitan and Provincial Law Association, an oft mooted topic, the separation of the legal profession into two classes, was again started by Mr. W. Shaen, of London, who stigmatised the present system as mischievous and unnecessary. He contended, in effect, that the division of legal labour would be best left to find its own level, and he thought that an attorney, who had seen a brief grow up in his own office, could argue questions of law thereon equally well with a barrister, who had devoted but a few nights to its perusal.

The topic is a very important one, and when we say that we are compelled to differ from the view advocated by Mr. Shaen, we express the sentiments of an overwhelming majority of the members of both branches of the pro-

fession. The division of labour, in common with every other salutary principle of political economy, may be carried out to an excess or applied injudiciously; and with respect to a difficult and technical art, such as that of the lawyer, it cannot, in our opinion, be made self-adjusting. To attain and keep up such an acquaintance with the current state of the law (case, common and statute) as shall enable him to master the true legal position of any case which may present itself, and advocate it in the best manner, is quite enough for one man to have to do; and the collection of facts and evidence, the holding of necessary communications with the suitor, and the conduct of the case through the necessary formal business, is quite work enough for another. Here and there there might be a man of unexampled ability and energy who could keep pace with the requirements of both functions. Systems of social economy, however, are not made for individuals.

#### DEEDS OF ARRANGEMENT WITH CREDITORS.

(Continued from p. 357.)

Although it has never been disputed that there must, speaking generally, be perfect equality between the assenting and non-assenting creditors in order to make a deed binding under the 192nd section of the Bankruptcy Act, yet it is equally clear that inequality, in order to vitiate a deed, must be substantial, and that a mere difference in position or remedy having no substantial disadvantages will not suffice. This was distinctly laid down by Cockburn, C.J., in *Keyes v. Elkins*, 13 W. R. 180. "The inequality," said that learned judge, "if it is to make the deed bad, must be substantial. Now here in one case there is an absolute release; in the other a covenant not to sue; but in substance the effect is the same, viz., to stop the creditor from pursuing his remedy. That being so, I think there is no real inequality, and that the deed is a good one." And in *Hernulewicz v. Jay*, 13 W. R. 807, 34 L. J. Q. B. 201, the same learned judge said:—"The effect of the deed is undoubtedly to impose on non-assenting creditors the performance of something which is not required of others; but I think that we must nevertheless have regard to the substantial effect of this requirement, and if we think the difference it creates between the two classes of creditors is so trifling as to be immaterial, we should treat it as practically amounting to no difference at all. To hold otherwise would be to render the task of framing a valid deed under the Act almost an impossibility; and in conformity with the maxim *de minimis non curat lex*, I am of opinion that the defendant is entitled to our judgment." These observations were made in the course of a judgment upholding a deed which contained a clause providing that if a dividend were declared before all the creditors had executed or assented to the deed or the amount of dividend payable on their debts had been ascertained, the trustees should retain a sufficient sum to pay like rateable dividends to such creditors upon their request in writing, or on the amount of the dividend payable on their debts being ascertained. In the case of *Scott v. Berry*, 13 W. R. 844, 34 L. J. Ex. 193, the deed contained a covenant expressed to be made with those persons only who executed the deed, but as it appeared that it had not been executed by any creditor, it was upheld on the ground that no one being in a position to sue on the covenant, there was no inequality. In the course of his judgment Baron Bramwell made the following remarks as to what equality amongst the creditors is essential. "All the creditors in a composition deed ought to be equally treated; yet it seems to me that there ought to be some qualification to this rule, and if you treat the non-assenting creditors as well as they should be treated, the deed ought not to be void because you treat the assenting creditors better; that is to say, if you do your best to give the non-assenting creditors—who will not come in—a right, there is no harm in giving the assenting creditors a better right. If the debtor gives the assenting creditors a covenant

for the payment of the composition, and not being able to covenant directly with the non-assenting creditors because they will not be parties to the instrument, he enters into a covenant with third parties on their behalf and so does his best to give the same right, they ought not to be allowed to complain that they are not on equal terms with the other creditors." These remarks, as will be seen from the illustration used by the learned Baron, were made before the decision in *Greasy v. Gibson* and the cases which followed it, since those cases show that the debtor is always able to covenant directly with the non-assenting creditors in the same way as the assenting, by making them all in terms parties to the deed; but the general observations still retain their force and value, though they must of course not be stretched beyond their real intent and meaning. In the recent case of *Blumberg v. Rose*, 14 W. R. 657, L. R. 1 Ex. 232, the same learned judge and the other judges of the Court of Exchequer, gave expression to very similar views. The deed was there unequal in this respect that the promissory notes by which the agreed composition was secured were to be given direct to the assenting creditors, whose names were inserted in a schedule, whereas the promissory notes for the non-assenting creditors were to be received by a trustee who was to hold them to be handed on demand to the non-assenting creditors. It was, notwithstanding this inequality, supported, Pollock, C.B., saying—"It is impossible where there are two sets of creditors, one assenting and the other non-assenting, but that there should be some degree of practical inequality. But to a deed equal in principle, inequality in effect is no objection." We cannot better conclude the consideration of this question, what degree or extent of inequality may exist without vitiating the deed, than by quoting from the judgment of Blackburn, J., in *Dingwall v. Edwards*, 12 W. R. 600, 32 L. J. Q. B. 161, the following pertinent remarks:—"It seems to me that all the Act can reasonably be supposed to require is, that the non-assenting creditors should have secured to them, in substance, the same advantages as are given to the assenting creditors. The debtor cannot, I think, be bound to do impossibilities, and put the recalcitrant creditors, who will not accept the composition offered, and will not execute the deed, in precisely the same situation as the creditors who are willing to do both. We ought not to insert by implication a condition in the Bankruptcy Act, 1861, the fulfilment of which would be if not impossible, so difficult as to defeat the operation of the Act, and render it impracticable to make a good composition deed; and I think that if we held a composition deed invalid, unless the non-assenting creditors were in every respect precisely and literally in the same position as the executing creditors, we should do so."

In a large proportion of the cases which have come before the Courts the question has been how far a deed would be avoided on the ground that it contained provisions so unreasonable that the non-assenting creditors ought not to be bound by them; and although many deeds have been pronounced bad expressly on the ground that they contained unreasonable provisions, it is still a question of considerable doubt to what extent a deed will be avoided on this ground, where its provisions are in no way productive of inequality. It seems clear that the Court has no jurisdiction to inquire into extrinsic circumstances when considering whether the deed is reasonable. It cannot entertain the question whether the arrangement is expedient for the creditors; that is to be left to the statutory majority. If it is within its province at all to declare a deed void on the ground of unreasonableness it must be because "it is unreasonable in itself and under all circumstances" (per Bramwell, B., in *Johnson v. Barrett*, 14 W. R. 194, 1 L. R. Ex. 65). That many of the judges, and in some cases in delivering the judgment of the Court, have decided that they had jurisdiction to declare void a deed in all respects complying with the conditions of section 192, because some of its provisions were unreasonable is abundantly clear;

though, on the other hand, some of the judges, and notably Mr. Justice Blackburn, seem to consider that inequality is really the only vice which will avoid a deed.

In the case of *Woods v. Foote*, 11 W. R. 383, 32 L. J. Ex. 199, which was the first on the point, Wightman, J., in delivering the judgment of the Exchequer Chamber, pronounced the deed bad, on the ground that one of its provisions, by which each of the creditors covenanted to indemnify the debtor against negotiable instruments on which the debtor might have incurred liability, or which might have been put into circulation by any of the creditors, was "entirely unreasonable." And in the subsequent case of *Balden v. Pell*, 12 W. R. 1004, 33 L. J. Q. B. 200, where a very similar provision came before the Queen's Bench, the Chief Justice and Shee, J., held the deed bad on the same ground. Blackburn, J., however, based his judgment on the ground that the provision was really productive of inequality as being unequally burdensome on the creditors who had received negotiable instruments on account of their debts. "If a creditor," said the learned judge, "had covenanted to lay himself under such a burden it might be different; but it is neither reasonable nor right that three-fourths of a body of creditors who have perhaps no bill of exchange among them should impose it on a creditor, and I do not think the law authorises them to do it." This view would, of course, be equally applicable to the case of *Woods v. Foote*, and sufficient to support that decision. In *Hidson v. Barclay*, 12 W. R. 883, 33 L. J. Ex. 273, Bramwell, B., in delivering the judgment of the Exchequer, declaring a deed bad which provided that no creditor who should have executed or assented to the deed should negotiate any instrument on which the debtor was liable without having first indorsed thereon a memorandum of his execution or other accession to the deed, made the following observations:—"The Exchequer Chamber, in *Woods v. Foote*, has decided that if the covenants and provisions in a deed be such as it would be unreasonable to require a creditor to assent to, a non-assenting creditor is not affected by it. By this, and many decisions following on it, we are bound. There is no express provision in the statute which warrants this decision, and the power given to or assumed by the Courts ought to be cautiously exercised. It may be nothing should be said to be unreasonable which is not *ultra vires*—namely, not 'relating to the debts or liabilities of the debtor, nor his release therefrom, nor the distribution, inspection, or winding-up of his estate.' It may be that on all matters within their competency the creditors are sole judges." The decision of the Exchequer in *Hidson v. Barclay* was reversed by the Exchequer Chamber on the ground that the provision in question was confined in terms to the assenting creditors, but Blackburn, J., in delivering the judgment of the Court (13 W. R. 583, 34 L. J. Ex. 219), said—"If the true construction of the instrument had been that this provision applied to all the creditors, as well those dissenting from the deed, but bound by the force of the statute as those who executed or assented to it, we are by no means prepared to say that it would not have prevented the deed from binding those who dissented. If such were the true construction of it the assenting creditors (who it may be *were not the holders of any bill of exchange*) would by this have imposed a peculiar burden on that class of non-assenting creditors who were holders of bills, and we are not to be understood as determining that a deed which is unequal in the sense that it imposes a peculiar burden on the dissenting creditors or any class of them is valid." It will be seen that the test applied by the learned judge to the class of cases we have just been considering was again not reasonableness but equality. In the subsequent case of *Coles v. Turner*, 14 W. R. 402, L. R. 1 C. P. 373, where the Exchequer Chamber reversed the decision by which the Common Pleas held a deed unreasonable because it contained a provision giving power to the trustees to require persons claiming to be creditors to verify their debts by statutory

declaration before the Commissioners of Bankruptcy or otherwise, as the trustee might think fit, Blackburn, J., in delivering the judgment of the Court holding the provision reasonable, said: "We do not decide anything on the question whether a Court of law can declare a provision which applies equally to all classes of creditors, and which the statutable majority of the creditors have thought fit to adopt, void, on the ground that in the opinion of the Court it is unreasonable. On this point we leave the former decisions neither confirmed nor impugned." The Court of Exchequer has, however, in several recent cases, distinctly expressed an opinion that a deed may be void on the ground of unreasonableness though it be not unequal. Thus, in *Johnson v. Barrett*, 14 W. R. 194, L. R. 1 Ex. 65, we find Channell, B., saying: "I agree indeed that there may be cases where, though there is no inequality between the creditors, the deed is so unreasonable that no probable state of facts will justify its provisions; but that is not so here, and I protest against the notion that because we as judges may think some provision which the creditors have agreed to inexpedient we can therefore say as a matter of law that it will nullify the deed." And in *Boulinois v. Mann*, 14 W. R. 181, L. R. 1 Ex. 28, Pollock, C.B., laid down that, "In deciding the peculiarly difficult questions which arise under [the Bankruptcy] Act, the proper rule to go by is that which has been laid down in the recent cases that a deed is invalid when it contains unreasonable conditions. The most ordinary form of this is when all the creditors are not put on the same footing, but that is not the only case." The deed there provided that the debtor should pay a composition on the trustee certifying that the deed had been assented to by the statutory number of creditors, and was on that account held unreasonable and bad. This decision clearly cannot be based on the ground of inequality, as all the creditors were to be in precisely the same position under it, but it might perhaps be supported, without conflicting with the view apparently entertained by Blackburn, J., on the ground shadowed forth in the judgment of Channell, B., that the payment of the composition being made conditional on the act of the trustee, it was not, properly speaking, a composition deed at all within the meaning of section 192.

(To be continued.)

#### NOTES OF CHANCERY PRACTICE FOR THE PAST YEAR.

(Continued from p. 1081.)

[Except where otherwise stated, the pages in the following article refer to the 15th volume of the *Weekly Reporter*.]

*Service out of the jurisdiction.*—*Drummond v. Drummond*, L.C. & LL.J. 267, 3 L. R. Ch. 32.

This decision restored the power expressed to be given by the 7th rule of Cons. Ord. 10, of ordering service on a defendant out of the jurisdiction in any suit, Lord Westbury having, in *Cookney v. Anderson*, 11 W. R. 628, to the surprise of the profession, denied the validity of the rule as being in excess of the powers under which the Consolidated Orders were made (see some remarks on this case above, p. 382). We notice that Lord Romilly considers that he has discovered a similar defect in the 26th rule of the Order of the 11th November, 1862, allowing simple contract creditors of a company interest on their debts from the date of the winding-up, such rule not being within the term rules of procedure, which alone are, by section 170 of the Companies' Act, 1862, authorised to be made (*Re Herefordshire Banking Company*, 1056, 4 L. R. Eq. 258).

*Order to revive under 15 & 16 Vict. c. 86, s. 52.*—*Mall et al v. Still*, LL.J. 293; *Hobson v. Shearwood*, M.R. 887.

We note these cases, in the former of which, an administration suit, the sole plaintiff had assigned his interest after decree; in the latter, a partition suit, the interest of the sole plaintiff had determined by his marriage after decree, because they increase the balance of



authority in favour of a wide interpretation of the above section. It must be noticed, however, that in the former case the plaintiff's assent was obtained, and the latter, following *Colyer v. Colyer*, 14 W. R. 784, must not be taken as a decision that, in the event of other parties to the suit moving to discharge the order, a bill, in the nature of a supplemental bill, would not become necessary. While on the subject of revivor, we may mention that, after some difference of opinion in the Court below, it has been settled by the Court of Appeal, in *Ellison v. Sharp*, 501, 2 L. R. Ch. 355, that the assignees of a sole plaintiff, who has become bankrupt, may revive the suit, although for the purpose only of taxation and payment of costs.

*Oral evidence on motion for decree.*—*Coles v. Morris*, 828, LLJ. 1157 (see also *Rendle v. The Metropolitan and Provincial Bank*, V.C.S. 1068).

While assenting to the actual decision in this case—that the 40th section of 15 & 16 Vict. c. 86, does not authorise the taking of evidence before an examiner, except with reference to some motion or petition actually pending—we feel some difficulty in following Lord Cairn's opinion that, after notice of motion for decree is given, the defendant, in opposing the motion, or the plaintiff in replying to the defendant, may issue a *subpoena* and examine witnesses. An attentive consideration of the order of the 5th February, 1861, taken in connection with the above Act, shows that when that order was framed it was not contemplated that the plaintiff would be able to take evidence in chief orally on motion for decree (see *Dan. Chan. Prac.* 4th ed. 766). It seems strange that, while the old practice of examination and cross-examination of witnesses before an examiner has, in causes in which issue is joined, been abolished by the above order, and *ex parte* examinations before the examiner, and cross-examinations before the Court substituted, it should still survive in cases of motion for decree, in which it was certainly intended that the evidence should be by affidavit. We notice that Lord Cairn's only allows the right to *subpoena* and examine witnesses to the defendant opposing or the plaintiff replying, and not to the plaintiff originally. We cannot find in the section any justification for this distinction, which we trace to the feeling that, while it was the plaintiff's fault if he brought his case to a hearing on motion for decree, without being able to support the same by affidavit evidence, it would be a hardship on the defendant that he should be restricted to the same kind of evidence, should, as might easily happen, some of his witnesses be unwilling. The question cannot be considered settled, and deserves more discussion than we can here give it. We will only add that, on referring to *Smith v. Baker*, 2 H. & M. 498, we doubt whether Vice-Chancellor Wood, as the Vice-Chancellor Malins seems to have thought there, meant to recognise the right of a plaintiff generally to take evidence before an examiner after notice of motion for decree. The case seems only to be an authority for allowing the plaintiff, in replying to the defendant's evidence, to examine unwilling witnesses before an examiner; and indeed, it seems to have been conceded that, if such examination had been not *ex parte*, but, as under the old practice prescribed by the 31st section of the above Act, it would have been regular.

*Scale of costs.*—*Lord Stamford v. Dawson*, V.C.W. 896.

In this case a servant, who had taken an agreement for a lease, really as agent for his master, but in his own name, and who subsequently denied the agency, was declared to be a trustee for his master and ordered to pay costs. The value of the agreement being less than £1,000, the question was whether the costs should be taxed on the lower or higher scale. The Vice-Chancellor, following a view expressed by him in *Flocton v. Peek*, 12 W. R. 1023, held that in the above case, and in all cases where the whole expense of the suit arose from what equity considered a fraud, whether fraud was in so many words charged or not, costs on the higher

scale would be payable, whatever the value of the subject-matter might be, the instances given in the second regulation referred to in rule 2, Cons. Ord. 38, being, if not mere friendly suits, yet cases wholly irrespective of fraud.

*Companies Act, 1862, s. 115.*—*Re the Merchant's Company, 1057, and Re the Breach-Loading Armoury Company. Ex parte Calisher, 1007,* decide that a witness summoned before a special examiner under the above section is entitled to be attended by his counsel and solicitor, and to take notes of his evidence, and that if such a practice is not allowed as of right in bankruptcy the analogy will not be followed. In the latter case the solicitor, whose attendance was desired, acted also for some of the other parties to be examined, and on this account his presence was objected to, but no notice was taken of this circumstance in the decision. It may be useful to remind our readers that the proper way of summoning a witness under this section is by summons in form, No. 54, sched. 3, to orders of 11th November, 1862, and not by *subpoena*. (*Re English Joint-Stock Bank*, 102.) The witness cannot object to answer questions on the ground that they refer to mere hearsay, the object of the section being to enable the official liquidator to get full information as to all the company's affairs, to which hearsay might conduce materially. (*Re the Ottoman Company, Limited*, 1069.)

Among the numerous cases relating to the proceedings in the winding-up of companies, we may also mention *Re General International Agency Company, Limited*, L.J. 973, deciding that service by post of the intention to make a call on a contributory resident out of the jurisdiction, will be treated as sufficient, subject apparently to its validity being contested in any proceedings taken before the foreign tribunal to enforce the call, and reserving a few cases for subsequent notice, and *Imperial Mercantile Credit Association v. Whittam*, M.R. 79, 3 L. R. Eq. 89, in which it was held that the 19th section of 15 & 16 Vict. c. 86, does not apply to the case of a company or corporation being plaintiff, so as to enable a defendant requiring discovery to file interrogatories for the examination of its officers, such officers not being parties to the suit, and that he must for that purpose file a bill as under the old practice.

The length to which this article has already extended prevents more than a passing allusion to *United States v. Wagner*, L.C. & LLJ. 1026, 2 L. R. Ch. 582, in which the right of the United States to sue without putting forward any officer for the purpose of discovery was upheld, and the new rule of practice that on appeals the appellant's counsel begin. We have now indicated the most important points of practice of the past year; for those of lesser moment we must refer the reader to the digest.

#### JUDICIAL STATISTICS, 1866.—PART II.

The business of all the courts of civil jurisdiction is shown in this part of the judicial statistics, with the exception of that transacted in the chambers of the judges of the superior courts of common law; the statistics of this are imperfect, in consequence of a change made in the manner of keeping the accounts under the Act 28 Vict. c. 45.

In the courts of common law a great increase of business is apparent; 133,160 writs of summons were issued, whereas, in 1865, there were only 119,097; there were more than 1,500 special motions, against 1200 in 1865, and the fees taken amounted to £81,659, as against £74,688. The increase on all these items is too apparent to require comment. There were 310 causes in the three superior courts of common law left as remanets at the end of the year 1865, and these were increased to 478 at the end of the year 1866. During the year 3,371 fresh causes were entered for trial at Westminster, 1,517 trials took place, and 1,786 causes were withdrawn or struck out. Besides these there were 1,697 causes entered for

trial on circuit, of which 1,176 were tried, and 480 withdrawn or struck out, leaving 41 as remanets; all these figures show a considerable increase on those of the previous year. Again we have a similar large increase in the number of judgments in the three superior courts and at assizes; they were, in 1866, 42,316, and in 1865, 38,440, giving an increase of nearly 10 per cent. With a business increasing at this rate, there can be no question as to the cause of the state of affairs in the masters' offices and in judges' chambers. A staff which was calculated to transact the business in 1859 can scarcely be efficient in 1867, when it is increased by more than 22 per cent.; and no fact can speak louder than this in favour of a fresh division of work, and, if needful, of an addition to the staff.

Rules for a new trial were refused in 142 cases and granted in 297; of these latter, 112 were made absolute and 116 discharged. In these proceedings also a considerable increase has taken place.

As a test of the result of the proceedings in the superior courts of common law, we have already seen that 133,160 writs of summons were issued, and that the number of judgments was 42,316, so that we are at liberty to conclude that in 92,845 cases no further proceedings were taken. In respect of these judgments 30,053 writs of execution were issued.

The increase in the business at chambers, so far as it is shown by the returns, is proportionate to that already alluded to.

In the amount of the receipts to the suitors' fund of the superior courts of common law there is a decrease of £35,740, and in the amount of the fees levied in those courts an increase of £6,971. Under the Common Law Courts (Fees and Salaries) Act, 1866 (29 & 30 Vict. c. 101), an account of the money received in respect of stamps and of the payments of salaries and compensations payable thereout is required to be laid before Parliament. The amount of these fees was £106,636 15s. 4d. in 1865, and £122,446 7s. in 1866, and the disbursements on the two items of salaries, &c., and compensations, amounted in the former year to £99,109 6s. 5d., and in the latter to £98,807 12s. 5d. The surplus on this account is £15,809 11s. 8d., which will, under the several Courts of Justice Acts, be ultimately applied towards the erection of the Courts of Justice.

County Court returns show that in 1866 872,680 claims were entered, including those sent from the superior courts. This number exceeds that in 1865 by 89,881, and is above the average of the five preceding years by 63,179. The cases determined number 488,165, being 54,182 more than in 1865, and 58,976 more than the average for the five previous years. In the cases brought to judgment, 8,874 were decided in favour of the defendant, in 8,883 there was a non-suit, and in the remainder judgment was for the plaintiff. There were 29,347 warrants of commitment issued, and 7,691 debtors imprisoned. The fees received in respect of proceedings in county courts exhibit a large increase; they amounted in 1866 to £288,453, in 1865 to £257,875, and in the five years 1859-63 their average amount was £250,708. The number of days of sitting during the year for the whole of the circuits was 7,894, exceeding the number for the preceding year by 302, and giving an average of about 62 causes for each day of sitting. About 56 per cent. of the causes were determined in court and 44 were settled out of court, and these have for several years been divided in very nearly the same proportions. The proportion of the number of causes determined at the different amounts of claim having been found to vary in a very slight degree from year to year, the column giving this information for 1866 has been omitted. Under the new County Courts Act, the concurrent jurisdiction of the Superior Courts is abolished in actions for sums under £20, so that it will be well to restore the absent column in the returns for 1867, in order to show what increase there is in the number of causes for sums under that amount.

The total number of suits or proceedings, including complaints entered, and petitions or notices filed in county courts under the County Courts Equitable Jurisdiction Act (28 & 29 Vict. c. 99) from the commencement of the Act on the 1st of October, 1865, to the 31st of December, 1866, was 809; the total value of the matter in dispute was £126,260; the amount of costs allowed was £4,988, and the total amount of fees was £4,391. This would make the average cost of an equity suit in the county court about £10, a sum far below that which it would cost in the Superior Court. During the period over which the returns extend there were only 7 appeals, but we are well aware that the returns for 1867 will show a far larger number. When it is considered that this jurisdiction is altogether novel, the business transacted under it must be admitted to have been very extensive.

There are thirty-four local civil courts of ancient jurisdiction, and in eight of these no proceedings took place in 1866. Of these courts the Liverpool Court of Passage, the Court of the Sheriff of London, and the Manchester Court of Record are the chief. The business of these three courts is on the usual scale, that of the remainder is comparatively insignificant. The amounts for which proceedings were commenced in these thirty-four courts, the amount for which judgment was obtained, the amount of costs and the amount of fees all show an increase on the previous year's returns. There is also an increase in the business of the Lord Mayor's Court of London. In the Court of Bankruptcy there were, in the year ending the 11th of October, 1866, 8,126 adjudications, less by 179 than those in the previous year but greater by 903 than in 1864. In 3,506 instances the debts of the bankrupt exceeded £300, and in 4,620 cases they were below that amount.

The total amount realized from the several bankrupts' estates was £730,361 18s. 3d., being a decrease of 14.7 per cent. as compared with the amount for the preceding year. The number of cases in which a dividend was made was 1794, and in 5607 instances there was no dividend, and in only 2 per cent. of those cases in which there was a dividend did it amount to 20s. in the pound. It would be an instructive addition to these returns if the total amount of bankrupts' debts could be shown, so as to facilitate a comparison between that and the total amount of the dividends paid on bankrupts' estates. It may be well to know how many estates paid a dividend; but to be informed what proportion all the dividends paid bear to all the debts due from bankrupts would present something more tangible and capable of being understood and appreciated.

The number of trust deeds registered under the 192nd section of the Bankruptcy Act, 1861, was 5,458, being an increase of 254 on the number in the preceding years. Of these 2,611 were deeds of assignment, 2,714 deeds of composition, and 133 were deeds of inspectorship. There were 44 appeals from bankruptcy decisions; in 14 of those the judgments were affirmed, and in 16 reversed; in 2 judgment was varied, the remaining 12 were pending, abandoned, or arranged. Under trust deeds there were 8 appeals. From county courts there were none. The fees received by the messengers amounted to £32,835 12s. 10d., and the payments, including the salaries of the messengers and their clerks, to £24,991 16s. 3d., leaving a surplus of £7,843 16s. 7d., being less by £1,247 6s. 7d. than the amount for the preceding year. In the county courts, the fees in bankruptcy received by the registrars amounted to £11,638 9s. and the payments to £1,199 5s. 5d.; those received by the high bailiffs amounted to £13,471 9s. 6d., and the payments to £7,523 16s. 3d. On all the items in the bankruptcy returns there is a decrease, small indeed in some cases, but upon the whole it is well defined. As bankruptcy is somewhat involuntary, we are at liberty to attribute this decrease to the prosperous condition of trade, though the returns extend over a period of great commercial depression and heavy losses incurred not only by traders but by all classes of society.

## THE LEGISLATION OF THE YEAR.

30 &amp; 31 VICTORIA, 1867.

Cap. CV.—*An Act to establish equitable councils of conciliation to adjust differences between masters and workmen.\**

This exceedingly troublesome subject has already proved to be most difficult of adjustment, and this Act is very much like "leading the horse to water" for the twentieth time.

When a number of masters and workmen in any trade or trades, of a particular locality, the masters having resided and carried on their trade in the place for six months, and the workmen having resided for six months and carried on their calling for seven years, shall convene a meeting and agree to form a council, and petition the Queen to grant them a license for that purpose, then the Queen may, by her Home Secretary, grant the license. The petition is to set forth the number of the council, the names, &c., of the petitioners, and the manner in which the expenses are to be provided for, and notice of the petition is to be published a month previously in the *London Gazette*, and in one or more local newspapers. A council is not to consist of less than two, nor more than ten masters and workmen, and a chairman and the petitioners are to proceed to the appointment of a council among themselves within thirty days after the grant of a license, and the council so appointed is to retain office until a permanent council is appointed in its stead.

The council is to have power to determine "all questions, disputes, and differences between masters and workmen" as set forth in the Act 5 Geo. 4, c. 96, which may be submitted to them by both parties, and shall exercise the powers and authority granted to arbitrators by that Act, and the other recited Acts, and to enforce its awards by application to a magistrate, by distress, sale, or imprisonment; but the council is not authorised to establish a rate of wages or to regulate the price of labour. A sub-committee of the council, to be called a committee of conciliation, is to be appointed, consisting of one master and one workman, to whom all questions, &c., are to be brought in the first instance, and who are to use their endeavours to reconcile the parties, who, in case of failure, are to go before the council.

No advocates are to be allowed except with the consent of both parties. All adult members of a trade having a license are entitled to be registered as voters for the election of the council and shall be qualified to be elected as members; masters to elect masters, and workmen to elect workmen. The register of voters is to be kept by the clerk of the council.

Here then we have a tolerably perfect machine for the purpose it is intended to accomplish, but two questions occur to raise doubts as to the value of this machine. First, will it ever be set in motion? next, will it have any work to do? As Lord St. Leonards has himself said, the Act is permissive and not compulsory; measures, however, have been taken to ensure the circulation of copies in the manufacturing districts. With reference to its scope, Lord St. Leonards has said that "although it may not stop actual strikes, it will fall in its object if it do not prevent strikes." It is not worthy, however, that the proposed terms of future employment are not among the matters upon which these councils are empowered to decide authoritatively; and even if this were otherwise, its decision in such a case could not be very well enforced. Still, if once in vogue, the practical influence of such councils might be far in advance of their mere legal power, we will therefore hope for the best from this new enactment.

Cap. CVI.—*An Act to make the Poor Law Board permanent, and to provide sundry amendments in the laws for the relief of the poor.*

Since the year 1847, when the Poor Law Commissioners were first appointed, the members of the board

have only held office for five years, and the section of the Act 10 & 11 Vict. c. 109, which imposed that restriction, is by the 1st section of this Act repealed. This Act relates chiefly to such parishes as are not included in "The Metropolitan Poor Act, 1867." It provides for the alteration of local Acts relating to the poor by means of provisional orders of the Poor Law Board, to be confirmed by Parliament, and for the adjustment of the boundaries of parishes which are inconveniently intermixed, by a similar process. This, no doubt, may facilitate a rather difficult process by saving the expense and trouble of procuring an Act of Parliament; but after all the benefit is questionable. No one case will be an exact model for a succeeding case, and so many points may arise with regard to parish records and the descriptions of property contained in ancient documents, as well as concerting tithes and other matters too numerous to refer to, that perhaps there will be very few parishes to which this part of the Act will be found applicable.

The Act contains numerous provisions with regard to the election of guardians, &c., but the only one worthy of note is contained in the 29th section, which empowers a vestry of a parish where there is no town council, local board, or other authority, to provide and maintain a fire engine, ladder, or fire escape, out of the poor rates. Many of our readers will have had experience as to the difficulty of providing fire engines, &c., in rural parishes, a difficulty which need now no longer exist.

Cap. CVIII.—*An Act to provide for the guarantee of persons holding situations of trust under government by companies, societies, or associations.*

Guarantee societies are no new invention, and there are several in existence whose business is extensive. The security of these societies has not hitherto been available for those employed under government, but in future those which comply with the conditions of the Act may be accepted as surety. The Act requires that the subscribed capital be not less than £50,000 and the amount paid-up not less than £20,000, and that where the amount paid-up is under £30,000, a special fund of £10,000 shall be set aside and invested as a reserve to back up the guarantees. Of course it is open for banking and any other companies to embark in this business, and it does not appear necessary that the company should be one incorporated under the Companies Act, though perhaps the Treasury might not choose to accept the security of an unregistered association. Each company, however, is required to send annually to the Treasury the list of members as required in the case of companies under the Act, to be sent to the registrar, as well as a copy of its last balance-sheet, and certain particulars respecting the special fund above mentioned.

Cap. CXV.—*An Act to remove disqualifications of justices of the peace in certain cases.*

This Act merely provides that a justice is not to be disqualified from acting in any case where the penalty for the offence charged before him is to be carried to the account of any rate to which he is liable to contribute. It requires but little discernment to enable any one to pronounce that a justice ought never to have been subject to such an infinitesimal disqualification.

Cap. CXXII.—*An Act for the application of surplus fees paid by suitors in the superior courts of law and other courts towards the expenses of providing the intended courts of justice, and for other purposes.*

Under the Courts of Justice Building Act, 1865, and the Courts of Justice Act, 1866, provision is made for repayment out of the funds arising from fees paid by suitors in the superior courts, except the Court of Chancery, of advances made by the Treasury for the purposes of building the courts of justice. The object of this Act is to regulate the manner in which the accounts of the Common Law Courts, the Court of Probate, the Court of Admiralty, and the Office of Land Registry shall be annually made out, and the balances, after providing for

\* *Vide sup.* p. 999.



any deficit of a previous year, and to be handed over to the Treasury, to be invested and accumulate to a particular account from time to time for the redemption, the annuities to become payable under the recited Acts. A statement of the receipts, investments, and expenditure on "The Courts of Justice Advances Redemption Account" is annually to be laid before Parliament.

The Commissioners of the Treasury are empowered from time to time to prepare amended tables of fees and payments to be credited to any of the accounts of the courts before mentioned, but subject to the approval of the authorities now empowered to regulate those fees.

In the event of the fees from the Court of Bankruptcy or any other court being required by Parliament to be paid into the Treasury, this Act is to apply to such other court *mutatis mutandis*.

Cap. CXXVI.—An Act to amend the law relating to railway companies in Scotland.

Cap. CXXVII.—An Act to amend the law relating to railway companies.

As the Scotch Act, which happens to stand first in the Statute-book, is *mutatis mutandis* identical with the English one, we shall confine our comments to the latter.

This Act is divided into seven parts, arranged under separate headings. Passing over the first, which is preliminary, the second part, under the heading of "Protection of Rolling Stock and Plant," is contained in sections 4 and 5, the effect of which is to preserve the rolling stock of railway companies from executions, and to enable a judgment-creditor to obtain, on application to the Court of Chancery, the appointment of a receiver and manager of the undertaking. Those interested in railway companies will not have forgotten how the Lords Justices of Appeal protested in the case of *Gardner v. The London, Chatham, and Dover Railway Company*, 15 W.R. 342, against the appointment of a manager, on grounds which then commanded general assent, and it will be seen that the present Act practically overrules their decision in this respect. The receiver or manager is to provide for the working expenses and other outgoings, and, subject to such provisions the moneys received by him are to be applied in the payment of the debts of the company (including, we conceive, those owing to mortgagees) according to their rights and priorities. We cannot but think that it would have been better at once to have declared that the rolling stock of a railway company forms part of its undertaking, and we regret that the attention of the Legislature should have been directed merely to preservation of the rolling stock from execution without regard to other equally important considerations.

The 2nd part of the Act, under the head "Arrangements," occupies sections 6 to 22. The general effect of it is to enable an insolvent company to file a declaration of insolvency in the Court of Chancery, and, with certain assents, and under the authority of the Court, to make a scheme of arrangement with its creditors, which is to be as binding as if enacted by Parliament. The most remarkable feature of these provisions is, that though the assent of three-fourths of the debenture-holders and guaranteed or preference shareholders, as also the assent of the ordinary shareholders in general meeting are required, the creditors are not necessarily consulted, and those only whom the Court thinks entitled to be heard can interfere in the proceedings. This is the more remarkable because section 11 provides for the assent of the holders of a rent-charge payable by the company in consideration of the purchase of the undertaking of another company. Full power is, however, given to the Court to stay executions and proceedings by creditors, who, if an application for a receiver or manager, under the 2nd section, comes, as we conceive it does, within this restraining power, have certainly not been treated with favour. The application of this part of the Act is full of difficulty, and, if much resorted to, will require much exposition, if not amending legislation. The 4th part

of the Act, under the head "Loan Capital, is contained in sections 23 to 26, and of these the most important section is the 23rd, which charges all borrowed money on the property of the company in priority of all other claims. This, again, overrules the decision of the Lords Justices that superfluous lands and rolling stock are not included in railway companies' debentures, and gives those debentures an increased value. There are two provisos intended to preserve the rights of landowners and leasing companies, and there are provisions authorising the issue of debenture stock. The fifth part of the Act, under the head "share capital," is contained in sections 27 to 30. The first three of those sections merely authorise the issue of shares at a discount, which was prohibited by the Companies Clauses Act, 1863, and the last contains new provisions for the audit of the half-yearly accounts. It is of importance to all persons interested in railway companies that their accounts should be thoroughly audited by competent persons, and any enactment tending in this direction is acceptable, but we venture to doubt whether the provisions before us will answer the purpose.

The 6th part, sections 31-35, deals with "abandonment," and adopts, with some few variations, the Act of 13 & 14 Vict. c. 83, which is applicable only to undertakings authorised before the 14th August, 1850. The provisions of that Act have, we believe, never been put in force, and it remains to be seen whether they afford any practical remedy for the grievance they are intended to meet, viz., the inability of a railway company to complete works once authorised and undertaken. Where nothing has been done beyond obtaining Parliamentary sanction to a proposed line, abandonment is comparatively easy, but where the works have been commenced and money has been expended, we fear that the new enactment will be found deficient. The 7th and concluding part, sections, 36 and 37, deals with the subject of "purchase of lands," and amends the much abused provisions of section 85 of the Lands Clauses Consolidation Act, 1845. The surveyor valuing under that section is now to be appointed by the board of trade instead of by two justices. The application to the Board of Trade is to be made on seven days notice to the landowners, and the valuation is to include compensation for all damage and injury sustained by reason of the exercise of the compulsory powers of entry.

The Act, it will be seen, deals with some few of the questions most urged on the attention of Parliament and the public, and brought into notice by the recent failure of several railway companies. More, perhaps, could not have been expected in a session devoted to reform, but we yet hope that the whole subject of railway legislation will ere long be reviewed in the interests of all concerned.

## COURTS.

### COURT OF BANKRUPTCY.

(Before Mr. Commissioner WINSLOW.)

Oct. 16.—Where proceedings had been carried on for nine months in a county court, and the debts proved to be far over £300, the Commissioner refused to remove the bankruptcy to a district court.—*Re Hughes*.—The bankrupt made himself bankrupt in February last, in the Bangor county court, where the proceedings have since been carried on. When his schedule came to be filed it was discovered that his debts were considerably over £300, being in fact £887.

Mr. Munns, on behalf of three creditors, now applied for an order, under the 88th section, for the transfer of the proceedings from Bangor county court to the Liverpool district court, principally on the ground that the debts were over £300.

Mr. Lawrance opposed the application. All the creditors resided near Bangor; the bankrupt's property was situated there. The case had been proceeding nine months, and no benefit would be obtained by now removing it.

Mr. Munns called attention to the words in the section:

"With or without reference to the district in which the bankrupt has resided or carried on business."

The COMMISSIONER doubted whether he had power under the 88th section to transfer a petition from a county court to a district court. Power was expressly given to transfer from a district to a county court, or from one district court to another; but the section was silent as to transferring from a county court to a district court. But, assuming that he had jurisdiction, he was of opinion that the application came too late. The petition was in February last; the proceedings had since gone on in the county court; on the face of the proceedings it was peculiarly a case to be worked in the neighbourhood; all the creditors resided there, and the bankrupt's mortgaged property was situate there. The application must therefore be dismissed.

## GENERAL CORRESPONDENCE.

### OBITUARY OF LORD KINGSDOWN.

[In our obituary of Lord Kingsdown (*supra*, page 1086), Mr. Fred. James Fuller, senior partner in the firm of Fuller & Saltwell, was inadvertently described as "the late Mr. Francis Fuller." The error was discovered too late for correction in that number. Mr. Fred. James Fuller accordingly writes to us to notify the fact that he is still the senior partner in the firm in question. Lord Kingsdown (then Thomas Pemberton) was, he informs us, the "captain" of the school alluded to in the obituary. We regret our mistake, and trust that many years may elapse before "the late Mr. Fuller" becomes a correct description.—Ed. S. J.]

## APPOINTMENTS.

MR. EDWARD WATES, of Gravesend and Sheerness, has been appointed a perpetual Commissioner for taking the acknowledgments of deeds by married women in and for the county of Kent.

MR. WILLIAM ROSE, Deputy-Clerk of the Parliaments, has been created a Knight Commander of the Civil Division of the Order of the Bath. Sir William Rose (as he will henceforth be styled) is the second surviving son of the late Right Hon. Sir George Henry Rose, G.C.H., who married a niece of Lord Strathnairn (better known as Sir Hugh Rose), Commander of the Forces in Ireland. He was educated at St. John's College, Cambridge, was called to the bar at Lincoln's Inn, in April, 1839, and has for a long period been in official employment in the House of Lords. He is a magistrate for Suffolk.

Mr. Grosvenor Hodgkinson, Solicitor, M.P. for Newark, has been presented with an address signed by several hundred of his constituents, in acknowledgment of his services in the cause of reform.

## SOCIETIES AND INSTITUTIONS.

### INCORPORATED LAW SOCIETY.

ANNUAL REPORT OF THE COUNCIL SUBMITTED TO THE GENERAL MEETING OF THE MEMBERS, ON JUNE 28, 1867.

(Continued from p. 1086.)

#### Metropolitan Improvements Bill.

This bill, which was introduced into the House of Commons under the auspices of the Metropolitan Board of Works, was considered by the council to require special attention, inasmuch as the members of the society are largely engaged on behalf of clients who are owners of property in the metropolis and its suburbs; and, moreover, act as and for trustees in the management and control of house and landed property, and in the purchase of ground rents.

The principle of the bill, as stated in its preamble, is the expediency of a portion of the charge for permanent improvements in the metropolis being borne by the owners of rateable property therein.

Under the Metropolitan Management Act, 1855, and the Amendment Acts of 1856 and 1862, the Metropolitan board is empowered to assess on the several parts of the metropolis sums to be charged thereon for defraying the expenses of the Board in the execution of the Acts, which sums are, under those Acts, payable by the occupiers.

The proposed bill enacts (clause 1)—that the board shall distinguish, as being assessed for a special rate to be called the "Metropolis Improvement Rate," such part of those sums as the board may think fit, to the extent of 4d. in the pound per annum, on the rateable annual value of the property; and that the occupier shall deduct from the rent payable by him, one half of such special rate, to the extent of 2d. in the pound on the amount of such rent; and that when the recipient of the rent is himself liable to a rent, he may make a similar deduction from the rent payable by him; that "rent" is to mean any rent service, rent charge, fee farm rent, quit rent, or other rent, or any reservation, or sum, or value rendered in money, or otherwise, by any occupier or tenant, or under any contract in respect of the occupation, tenancy, use, or enjoyment of any rateable property in the metropolis, tithe commutation rent charges, sums in lieu of tithe, annuities, or other annual or periodical payments whatever, reserved, or charged on, or payable out of any rateable property in the metropolis.

With reference to the portion of the proposed bill, of which a short outline has been given, it seemed necessary to consider what are the advantages which a landlord can derive from metropolitan improvements. A very large proportion of the property in the metropolis is held under leases for long terms by occupiers paying a full occupation or rack rent to their landlords; and it appeared to the council that the landlords, as such, during the continuance of their leases, could derive no such advantage; neither could landlords who are themselves under-lessees, paying a smaller rent to their lessors—who again hold under the first or ground landlord under a still smaller rent. The ground landlord, or freeholder, may have granted a lease for ninety-nine years, at a small ground-rent, and during that period the improvement of the metropolis can be of no benefit to him. His immediate lessee may have granted an under-lease for the whole term, reserving a day, and he can never derive the smallest pecuniary advantage from metropolitan improvements. This objection seemed to apply with equal, if not greater force to rent charges, and annuities. The owner of a fee farm rent charge of £100 a-year, payable out of a property yielding £1,000, is wholly unbenefited. A widow jointured with £100 a-year during her life, charged on property yielding £1,000 a-year, would be in the same position.

The bill further provided that every existing or future covenant and agreement by an occupier to pay such tax is to be void, that is, both retrospectively and prospectively; and every lessee who has covenanted to pay all rates charged, or to be charged, on the property leased, will be thereby enabled to violate the express conditions of his tenure.

On the whole it appeared to the council that the bill was a novel and oppressive interference between landlord and tenant—that its retrospective provisions freed the tenant from legal obligations already entered into by him with his landlord; and its prospective provisions, by attempting arbitrarily to regulate the powers of owners in agreeing with tenants for payment of rates, were most injurious to property, and must end in casting a far heavier burthen upon occupiers, inasmuch as, in future, rents will be made sufficient to cover all possible rates of the board, and an element of great uncertainty will be introduced in determining the terms of future agreements and leases. The council, therefore, expressed the opinion they thus entertained in a petition, which they caused to be presented to the House of Commons against the bill.

The bill is still pending in Parliament.

#### Bankruptcy Bill.

The members were informed, at the last annual meeting, that a series of observations were framed by the council on points as to which the Bankruptcy Bill of last session seemed to require alteration or amendment. These and other observations were subsequently submitted to the Attorney-General, and the council are glad to find that their suggestions have been very largely adopted by the framers of the bill now before Parliament.

The council, however, found it necessary in the interest of their branch of the profession, to make a communication to the Attorney-General protesting, most strongly, against the provisions of the 19th clause of the bill. It is provided by that clause that when a vacancy happens in the office of registrar, the classes of persons from which the



Lord Chancellor is to make a selection for the purpose of filling such vacancy, are to be confined to registrars of the county district courts of bankruptcy, and barristers, or special pleaders of five years' standing. Under the existing law no restriction whatever to particular classes is imposed on the appointment of gentlemen to fill the office of registrar, and the council consider that the existing power of appointing attorneys and solicitors to these offices ought not to be taken away.

The restriction sought to be imposed, for the first time, under this clause, is not, in the opinion of the council, justified either by present circumstances, or by anything connected with the conduct or capacity of the few attorneys who have hitherto held the office of registrar; and experience shows that, in those offices connected with the administration of the law, which are held by attorneys and solicitors, their practical experience and professional knowledge have eminently fitted them for their duties; and the public are well assured that their interests have been entrusted to the care of competent and trustworthy men.

These views were communicated by the council to the Attorney-General, with an earnest request that he would give the subject the consideration which it so assuredly deserves. The council also communicated with the provincial law societies and numerous country solicitors, urging them to press on their representatives the injustice of this provision.

The council have also exerted themselves in opposition to Mr. Hibbert's motion for making barristers eligible for the office of county court registrar, considering that it is an office which an attorney is peculiarly qualified to fill.

#### *County Courts Acts Amendment Bill.*

This bill has also received the consideration of the council.

It is proposed, by clause 19, that trustees may pay or transfer any trust moneys, not exceeding £500, to the registrar of the county court; but the council considered that it would be more satisfactory if such payment or transfer were made to the Treasurer, who gives ample security. It is true that the bill declares that the registrar may invest the money, but there is no provision making it incumbent that the investment shall be made; and it is evident that in the cases of trustees and suitors, their interest and responsibility will cease when the money is paid into court, and they will have no further interest in seeing to the investment of the moneys paid in.

The council, therefore, represented to the Lord Chancellor that as the treasurer of the county court is required under existing orders, to give security, the money should be invested in the name and under the control of the treasurer either solely or jointly with the registrar.

#### *Attorney's Certificate Duty Bill.*

This bill, which the members will recollect is one for the reduction of the annual duty payable by attorneys and solicitors to the nominal amount of five shillings, was again introduced in the House of Commons by Mr. Denman at the commencement of the present session, and as anticipated, met with a decided opposition on the part of the Government.

After a series of divisions, taken at various stages of the bill, it has passed the second reading, but a discussion will take place on the 25th instant, in committee of the whole House. It is hoped that by the time this report is submitted to the meeting, the principle of the bill will have been again affirmed by a majority in the House of Commons.

The sincere thanks of the profession are due to Mr. Denman for his disinterested exertions on behalf of the attorneys and solicitors in this matter.

#### *Law Classes and Lectures.*

The number of subscribers to the classes held in the past season was 95.

The conveyancing classes were conducted by Mr. Alfred Bailey, the Common Law by Mr. Schaleh, and the Equity by Mr. Sturges.

The attendance at the lectures has diminished to a considerable extent. This is no doubt attributable to the establishment of the classes, which are preferred by many of the law students.

The lectures on conveyancing were delivered Mr. R. Horton Smith, those on equity by Mr. E. Charles, and

those on common law and mercantile law by Mr. H. W. Lord.

The number of subscribers was 76.

#### *The Preliminary, Intermediate, and Final Examinations.*

The council, in common with the rest of their brethren in the profession, have taken great interest in the establishment of the preliminary examination, believing as they do that the institution of such an educational test must tend to raise the position and character of attorneys and solicitors in the estimation of the courts and the public. The legislature in instituting the examination, in order to meet cases of an exceptional nature, provided that the chief judges of the three superior courts of common law and the Master of the Rolls, should collectively and individually have the power of dispensing with the examination either wholly or partially.

The council have viewed with much concern the somewhat numerous instances in which orders have been made dispensing with the preliminary examination; and representations were from time to time received with regard to cases in which the applicant could not have obtained a dispensation had the real circumstances been made known to the above named learned Judges. They therefore felt it their duty to address a memorial to their Lordships pointing out that the special circumstances attending the various applications for the exercise of this dispensing power must necessarily differ to a great extent, and that when the evidence given in support of such cases came to be sifted, the claims for exemption might be found to rest upon grounds amounting to little more than a mere incapacity to pass, against which incapacity the Act was expressly intended to operate.

In their memorial, the council represented, that in order that the public might experience the benefit intended by the Legislature in establishing the examination, it was essential that uniformity of practice should exist with regard to the exercise of such dispensing power; and they informed their Lordships that in similar applications the Master of the Rolls had adopted the course of referring the investigation of the facts to the council, and if, upon their report to his Lordship, the circumstances of the case disclosed reasonable grounds for the exercise of the dispensing power, the applicant had been required to present himself for examination generally; the examiners then made a special report as to the result of the examination, and if the applicant acquitted himself well, in default even of answering questions in any particular subject of study, his Lordship then decided whether he might be permitted to enter into articles of clerkship.

Shortly after presenting their memorial, a deputation from the council had an interview with the Lord Chief Justice Cockburn, the Lord Romilly, the Lord Chief Justice Bovill, and the Lord Chief Baron Kelly, and they explained to their Lordships that a very strong feeling was entertained in the profession that from the numerous applications made, and the apparent ease with which dispensations seem to have been obtained, the true state of the case had not in many instances been represented to their Lordships, and the deputation pressed their Lordships to consider whether an uniform practice might not be advantageously adopted in respect of these applications.

Their Lordships fully recognised the real importance of the subject, but thought that hardship would be inflicted if attorneys' clerks, who had prior to the establishment of the examination rendered themselves by their industry competent to perform the duties of an attorney, were excluded from the profession on account of the want of a liberal education. Their Lordships admitted that, as time went on, and clerks of that description entered attorneys' offices with full knowledge of the preliminary examination being required, it would not be right to extend to them the dispensation which might justly be extended to clerks who commenced their employment before the institution of the examination; and that after the Act had been in operation for about ten years, claims for dispensation from the examination would only be granted on very special grounds.

In the course of the interview, one of their Lordships observed that the profession of an attorney required something more than a mere capacity to conduct the practical part of an attorney's and solicitor's business: that, in fact, the interests of the community were to a great extent entrusted to their management, and that they were often called upon to exercise, in addition to their professional skill, con-

siderable tact and judgment; and it was essential that they should possess those higher qualities which a liberal education tends to create.

Their Lordships intimated that, in future, they would gladly avail themselves of the assistance of the council in investigating the circumstances of any cases which may hereafter appear to them doubtful, and expressed their satisfaction that their attention had been directed to this question; and from the very courteous manner in which the deputation was received, the council have every reason to believe that a beneficial effect will result from the action which they have taken in the matter.

The council are happy to state that one of their Lordships has already forwarded several applications made to him for the report of the council thereon.

The result of the several examinations is as follows:—

*Preliminary Examination.*—In July 1866, 96 candidates passed and 23 were postponed; in October, 133 passed and 42 were postponed; in February, 156 passed, and 45 were postponed; and in May last 130 passed and 41 were postponed.

*Intermediate Examination.*—In Michaelmas Term, 1866, 145 candidates passed and 2 were postponed; in Hilary Term, 1867, 70 passed and 10 were postponed; in Easter Term, 1867, 123 passed and 11 were postponed; and in Trinity Term last, 111 passed, and 19 were postponed.

*Final Examination.*—In Michaelmas Term, 1866, 136 candidates passed and 3 were postponed; in Hilary Term, 1867, 132 passed and 25 were postponed; in Easter Term, 67 passed and 14 were postponed, and in Trinity Term last, 118 passed and 12 were postponed.

The list of candidates who have succeeded in obtaining honorary distinction has already appeared in our columns.

The Council refer with the greatest pleasure to the generous donation of Mr. William Murray, of Birchin Lane.

Mr. Murray, on retiring from the profession, and resigning his seat at the council board, which is a subject of much regret, has, with the view of encouraging proficiency in Bankruptcy and Commercial Law, including the Law of Debtor and Creditor, amongst the candidates for admission as attorneys and solicitors, signified his intention to transfer to the society a sum of £1,000 Consols, for the purpose of founding an annual prize in those subjects.

The regulations under which this prize is to be awarded will, after consultation with Mr. Murray, be made known to the members and the profession.

The Birmingham Law Society have also established a prize, to consist of a gold medal, to be competed for by those students only who have been originally articled to an attorney or solicitor practising in Birmingham, and who have passed at least two-thirds of their term of service under their articles in Birmingham, and who are under the age of twenty-six at the time of their final examination.

The prize will be awarded after Michaelmas Term, 1867, and after every subsequent Michaelmas Term, to the candidate who, among the members of the class above described, shall be reported to the council of this society, by the examiners, to be first in order of merit among the candidates examined in the current year, and entitled to honorary distinction.

The defective service of several articled clerks has necessitated careful investigation on the part of the examiners; and it has become necessary to withhold the examiners' certificate in some instances. In one case an articled clerk has, by order of the judges, been compelled to enter into a fresh contract for a period of six months to cure an irregularity in his service.

It may be as well to observe that within the last two years the testimonials as to service under articles of clerkship have in numerous instances been left in a most incomplete state; thereby causing the articled clerks and the attorneys to whom they are articulated, much trouble and inconvenience, which, with the exercise of a little more care would be easily avoided.

#### SOLICITORS' BENEVOLENT ASSOCIATION.

The Nineteenth half-yearly general meeting of the members and friends of this association was held in the Town Hall, at Manchester, on Wednesday, the 9th instant, under the presidency of Mr. Beever (of the firm of Beever, Darwell, & Co.), of that city. The half-yearly report was read by Mr. Thomas Eiffe, secretary, and the following is an ab-

stract:—Since the report in April the number of members gained has been 68, of whom 12 are life, and 56 annual members; the number of members gained during the entire year has been 151. The aggregate number of members now enrolled is 1,321, of whom 620 are life, and 1,201 annual; 18 life members are also annual subscribers. The receipts during the half-year, exclusive of the balance of £166 11s. 9d., from the previous account, amount to £1,323 17s. 11d., which, with the receipts of the previous half-year, give a total of £2,314 14s. 0d., as the receipts for the entire year. The festival in June last, under the distinguished presidency of the Right Hon. the Lord Chief Justice Bovill, contributed to this success; and the directors gladly avail themselves of this opportunity to tender their cordial thanks to those gentlemen who, by their valuable co-operation as stewards, helped to secure so satisfactory a result. The subscriptions and donations reported at the dinner included liberal contributions from the Lord Chief Justice Bovill, the Lord Chief Baron Kelly, and several members of the bar, and amounted to the sum of £563. During the half-year a sum of £800 has been invested in the purchase of India Five per Cents., making a total sum of £1,400 invested during the year; and the funded capital is now £12,875 4s., consisting of £7,803 17s. 8d. India Five per Cents. and £5,071 6s. 4d. Three per Cent. Consols, the annual dividends being £533. With respect to the society's benevolent operations: Grants of assistance to the amount of £155 have been made during the half-year to a member and to the widows and families of deceased members, and a sum of £87 has been distributed in the relief of nine families of deceased non-members; these amounts, added to the grants made during the previous half-year, give a total sum of £462 distributed in relief during the entire year. A balance of £145 remains to the credit of the association at the Union Bank of London, and a sum of £15 is in the hands of the secretary.

The CHAIRMAN said their venerable chairman, Mr. Anderton, whom they delighted to honour as the founder of the association, was unavoidably absent; and so was their old and zealous friend Mr. Harrison, the vice-chairman. All who had heard how well and how feelingly they had spoken from the chair at former general meetings must regret their absence. Happily for him, needing their indulgence, the report which had been read showed that the work done by them and others had produced results which, though they left them with funds far short of the £40,000 or £50,000 which in 1861 their vice-chairman thought they ought to have, yet showed a considerable progressive increase both of members and money. Still, an appeal from the board to such of their professional brethren as had not yet accorded their support had again been found necessary. Let them hope that at no distant period a full response might be given to this and the previous appeals, supported as they had been at their festivals by the eloquence of some of their most learned judges and of various distinguished and kind-hearted men, and by the encouragement and sympathy evinced at their annual gatherings, first at Bristol, then at Newcastle-upon-Tyne, and then successively at Birmingham, Leicester, Leeds, Liverpool, and Canterbury, and last, but not least, by the munificence of a lady, the widow of a solicitor, who left the society a legacy, and whose name consequently graced their list of benefactors. Let them also hope that the welcome and support now sought at Manchester would not be less encouraging. As a Manchester member, he should be proud to find that Manchester did not belie her antecedents in the good work, for Manchester, if she wished not to retrograde in doing her duty, must remember that though the first preliminary measures for forming the association took place in Liverpool in 1856, on the motion of Mr. Anderton, they were matured at Manchester in 1857, and adopted in London in 1858, in which year the society was formally inaugurated. He hoped Manchester in 1868 would show the highest number of members, and that the rivalry in this respect would spread, with a view, in the words of Chief Justice Erle at one of their festivals, to that "mutual association and brotherly affection for the best of purposes, namely, the alleviation of poverty and the succour in case of need of the widow and the orphan."

In reply to Mr. Heelis, Mr. SHARPS said that the large item in the accounts for printing, &c., was accounted for by the fact that they had connected with the profession more than 10,000 gentlemen, but the society only numbered

2,000. To canvass the remaining 8,000 required a large expenditure for printing, stationery, and postage.

Mr. PAYNE, of Liverpool, proposed—"That this meeting is gratified with the progress of the society, and commends its objects to the support of the profession."

The resolution was seconded by Mr. THORLEY, of Manchester.

On the motion of Mr. SIMPSON, of Manchester, seconded by Mr. HOLDEN, of Worcester, the thanks of the meeting were presented to the directors and auditors for their services during the past year.

Other resolutions appointing directors and auditors were passed.

#### METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The annual provincial meeting of this association commenced on the 8th ultimo, in the Town-hall, Manchester, under the presidency of Mr. H. S. Wasbrough, of Bristol, the Chairman of the association. The following gentlemen were present:—Messrs. W. Shaen, J. Anderson Rose, P. Rickman, C. F. Tagart, A. P. Bower, T. Eiffe, W. Yewd, London; T. Avison, W. Radcliff, W. Bartlett (Hon. Sec. Liverpool Law Society), Jas. Thornley (Vice-President Liverpool Law Society), and R. A. Payne, Liverpool; H. Livett and G. F. Prideaux, Bristol; E. T. Payne, Bath; S. Alcock, jun., Sunderland; H. Sankey, Canterbury; J. Monckton and J. Case, Maidstone; C. A. Smith, Greenwich; A. Hart, Dorking; J. Lewis, Wrexham; A. Ryland, C. T. Saunders, Birmingham; T. P. Bunting, T. T. Bellhouse, James Gill, S. Heelis, J. Cooper, F. Marriott, T. C. Davies Colley, W. H. Guest, G. Thorley, T. Jepson, J. P. Aston, J. Janion, J. Street, J. Hall, S. Unwin, R. Simpson, W. H. Partington, Manchester; W. Harper, Bury (Lanc.); T. Marshall, J. Bulmer, J. E. S. Smith, J. D. Kay, Jas. Rider, Jno. Latimer, Leeds.

The CHAIRMAN alluded to the success of the last Manchester meeting in 1857, under the presidency of Mr. W. Strickland Cookson, and acknowledged the claim of Manchester to be considered the birth place of the association. Now, on the completion of a second decade, the association came before them with its functions in no way impaired by time and experience. Its objects were to organise the influence of attorneys, to promote the better administration of the law, and to protect the rights of the profession. He then proceeded to examine in detail the manner in which the association had fulfilled the expectations of its promoters. Upon the subject of legal education, he observed that the tests to which students were now subjected had already had their effect. The more recent examinations, he said, had showed a marked and decided advance. Whatever might be the cause of this, it must tend to raise the tone and character of the profession. It was gratifying also to observe the increasing number of graduates of Oxford and Cambridge and the other universities who entered their branch of the profession—a fact which showed the higher estimation in which it was held in more educated circles. He alluded also to the establishment by the Association of the Solicitor's Benevolent Association. If the Association had done nothing more, its exertions in these respects would entitle it to the gratitude of the community at large; but no legal bill was introduced into either House of Parliament, no measure affecting in the remotest degree the interests of the profession was brought forward, but it received the earnest and careful consideration of the committee of management, as was shown by their half-yearly reports, and herein it appeared to him lay the great usefulness of the association, as by means of its machinery its members were kept informed of all measures and subjects affecting the legal profession, and where it was necessary their united action could be brought into operation by the same means. While the interests of the profession had been thus carefully watched and promoted by the society, he thought he might venture to say that those of the public had in an equal degree been considered by the profession, and particularly in respect to the transfer of land. After alluding to the cold reception which the public had given to the Acts promoted by Lords Cranworth and Westbury in 1862, he adverted to the various ways in which the profession had succeeded in benefiting the public where the Legislature had failed, instancing the practice with respect to the commencement of titles and the framing of conditions of sale. He then detailed the action which the association had taken upon the most

important of the Parliamentary bills which they had had under their consideration, viz., those upon the subjects of Bankruptcy, Attorneys Certificate Duty, County Courts, Office of Judge in the Admiralty, Divorce, and Probate Courts, Sales of Land by Auction, and Common Law Judges' Chambers Despatch of Business. With reference to the first they had hoped that many of their proposals would have been adopted by the Legislature, but the Reform questions had shelved the subject. There was but one way of dealing with the question, viz., to treat insolvency as a *prima facie* case of misconduct, calling upon the debtor to exculpate himself. With regard to the Attorneys' Certificate Duty (the bill for the abolition of which had been lost on the third reading), it now seemed doubtful, looking to the ground on which the Chancellor of the Exchequer obtained his majority, whether the removal of the duty could be obtained prior to the abolition of all licence duties. The committee had devoted much pains to the County Court Acts Amendment Bill; it seemed more than probable that this measure was merely a prelude to a still further development of the county court principle. The office of Judge in the Admiralty, &c., Courts Bill had been withdrawn, but the committee, who had petitioned the Legislature, and furnished Mr. Hadfield with several draft clauses to carry out the prayer of the petition, would not lose sight of the subject. As to the Sales of Land by Auction Bill their opinions and action were well-known. Converting as it did the common practice of the profession into a system, the Act would probably have but little effect. A really objectionable clause, requiring the seller in all cases previously to the sale to deliver his reserved price, in writing, to the auctioneer, was omitted from the Act. The abolition of the practice of opening chancery biddings, except on the ground of fraud, had effected a real reform, and for this the committee had specially petitioned. The speaker then detailed the proceedings of the committee relative to the Common Law Judges' Chambers Despatch of Business Bill (*vide sup.* p. 819), and the new law courts. The resolutions of the joint committee of bar and solicitors were substantially in accordance with their suggestions on the latter subject. With regard to the Middlesex registry they had been continuous in their efforts. The speaker proceeded to elucidate, with great perspicuity, the history of the registry and its fees, and the positions of the sinecure registrars, clearly showing, as he observed, the great need of reform. A bill for that purpose was anticipated next session. The committee had also recently had their attention drawn to the inconvenience arising from the stoppage of creditor's cheques by the Accountant-General in Chancery for non-payment of legacy duty. He detailed the communications which had passed between the committee and the Inland Revenue Board and the Accountant-General on this subject, which would not be lost sight of by the committee. With regard to the recent Act enabling the Lords Justices of Appeal in Chancery to sit separately, he feared the change made was one in the wrong direction. Alluding, in conclusion, to the position of the profession, he thought that, in spite of the continued complaints which were heard, it had never held a higher position in public estimation. No doubt the real property statutes, in abolishing fines and recoveries, and subsequent acts by rendering assignments of terms and leases for years, and a number of useless forms unnecessary, had deprived the profession of a source of revenue. The profession, nevertheless, had been the gainers, as with these useless forms they had rid themselves of the reproach of making exorbitant charges, which was, in fact, not so much their fault as the result of the system. And if the profession had been gainers in this respect they had still more largely benefited as a body by the simplicity introduced into pleading and the procedure of common law. Heretofore, the intricacies of the law encouraged a system of vexatious delay and expense, and sometimes positive injustice, of which a class of practitioners who threw discredit on the entire body eagerly availed themselves—a class which had, with the old forms, in a measure passed away. The profession had by these means in a great degree been cleansed from much that was impure and vicious, and by the educational test and the higher tone and character it had thus acquired it was daily rising in the esteem of the community at large; and there was little doubt that, by keeping pace with the increased intelligence of the age, and by the gradual introduction into the examinations of a still higher standard of education, their branch of the profession would take equal rank with the other learned professional bodies in England.



Upon the conclusion of this paper an interesting discussion took place upon various topics affecting the profession.

Mr. W. SHAEN deprecated the present division of the profession into two distinct branches, viz., advocates and solicitors.

Mr. J. BULMER (Leeds) supported Mr. Shaen's view.

Mr. C. A. SMITH (Greenwich) opposed.

Mr. STEPHEN HEELIS read an interesting paper on "The best mode of investing Funds for the Endowment of Charities," recommending investment in land.

A discussion ensued, in which Messrs. Wadham (Bristol), Bunting (Manchester), Marshall (Leeds), Ryland (Birmingham), Harper (Bury), Sankey (Leeds), Mr. Heelis, and Mr. Shaen took part.

Papers were read by the secretary from Professor Johnson, on the recent Act which enables assignees of life policies to sue thereon in their own names; and from Mr. Reynolds (Birmingham), on the question whether probate duty is payable in respect of leaseholds and mortgages.

Messrs. J. A. ROSE (London) and W. W. WYNNE read papers on the question whether patents were beneficial or otherwise to the community.

The discussion of the papers was adjourned until the next day.

In the evening the members of the Association were entertained by the members of the Manchester Law Association at the Albion Hotel, at the annual dinner of the latter. After the usual loyal and conventional toasts had been duly honoured, the Chairman (Mr. Stephen Heelis) proposed "The Metropolitan and Provincial Law Association;" Mr. Wasbrough responded. Mr. Jepson proposed "The Mayor and Corporation of Manchester," to which Mr. Fowler, in the absence of the Mayor, responded briefly. Mr. Radford acknowledged the toast of "The Mayor and Corporation of Salford," proposed by Mr. Cooper. Mr. R. B. B. Cobbett proposed "Her Majesty's Judges," coupling the toast with the name of Mr. Robinson Fowler, upon whose conduct on a recent and well-known occasion he passed a high encomium. Mr. Fowler, who was warmly received, returned thanks.

Several other toasts were proposed during the evening.

### OBITUARY.

#### JOHN BLACKHAM, ESQ.

Mr. Blackham was called to the Irish Bar in 1844, he was editor of the *Irish Jurist* for some years, and was author of many works on Irish practice. Mr. Blackham had been for the last few years in declining health, and had retired from practice. He was married to a daughter of the late Rev. Mr. Harper, Rector of Maryboro', where he died on the 11th instant.

### LAW STUDENTS' JOURNAL.

#### MICHAELMAS TERM.

##### INTERMEDIATE EXAMINATION.

Thursday, the 14th November, is the day appointed for the examination of persons under articles of clerkship to attorneys. Candidates for examination are to attend on that day at half-past nine in the forenoon, at the Hall of the Incorporated Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

Articles, &c., to be left with the secretary on or before Friday, the 15th instant; and in case articles and testimonials of service have been already deposited, they should be re-entered, the fee paid, and the answers completed on or before the 25th instant.

Candidates applying to be examined under the 4th section of the Attorneys' Act, 1860, may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the articles of clerkship; and such questions, duly answered, must be left with the articles, &c., on or before the 25th instant.

##### FINAL EXAMINATION.

Tuesday, the 12th, and Wednesday, the 13th November, are the days appointed for the examination of persons applying to be admitted attorneys. Candidates for examination are to attend on those days at half-past nine in the forenoon of each day, at the Hall of the Incorporated

Law Society, Chancery-lane. The examination will commence at ten o'clock precisely, and close at four o'clock.

Articles of clerkship, &c., to be left with the secretary on or before Friday, the 1st November. If the articles were executed after the 1st January, 1861, the certificate of having passed the intermediate examination should be left at the same time; and in case articles and testimonials of service have been already deposited, they should be re-entered, the fee paid, and the answers completed on or before the 1st November.

Candidates applying to be examined under the 4th section of the Attorneys' Act, 1860, may, on application, obtain copies of the further questions relating to the ten years' service antecedent to the Articles of Clerkship; and such questions, duly answered, must be left with the Articles, &c., on or before the 1st November.

Where the Articles have not expired, but will expire during the Term, or in the Vacation following such Term, the candidate may be examined conditionally; but the Articles must be left on or before the 1st November, and answers up to that time.

Candidates who have already proved to the satisfaction of the Examiners the ten years' antecedent service are not required to leave replies to the further questions again.

Fee, each Term, on Articles and Testimonials of service, 15s.;—not to be sent in Postage Stamps.

In others respects the regulations are exactly similar to those previously issued (e.g. 10 Sol. Jour. 169).

### PUBLIC COMPANIES.

#### ENGLISH FUNDS AND RAILWAY STOCK.

LAST QUOTATION, Oct. 17, 1867.

[From the Official List of the actual business transacted.]

##### GOVERNMENT FUNDS.

3 per Cent. Consols, 93½	Annuities, April, '85 12 11-16ths
Ditto for Account, Nov. 7, 93½	Do. (Red Sea T.) Aug. 1908 20½
3 per Cent. Reduced, 92	Ex Billa, £1000, 3½ per Ct.
New 3 per Cent., 92½	Ditto, £200, Do
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, 28 pm
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 4½ per
Do. 5 per Cent., Jan. '73	Ct. (last half-year)
Annuities, Jan. '80 —	Ditto for Account, 252

##### INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 223	Ind. Enf. Pr., 5 p Ct., Jan. '72, 104½
Ditto for Account	Ditto, 5½ per Cent., May, '72, 109½
Ditto 5 per Cent., July, '80 114½	Ditto Debentures, per Cent.,
Ditto for Account, —	April, '84 —
Ditto 4 per Cent., Oct. '88 100	Do. Do., 5 per Cent., Aug. '73
Ditto, ditto, Certificates, —	Do. Bonds, 5 per Ct., £1000, 68 pm
Ditto Enforced Ppr., 4 per Cent. 89	Ditto, ditto, under £1000, 68 pm.

##### RAILWAY STOCK.

Shares.	Railways.	Paid.	Closing Prices.
Stock	Bristol and Exeter .....	100	85
Stock	Caledonian .....	100	101
Stock	Glasgow and South-Western .....	100	111
Stock	Great Eastern Ordinary Stock .....	100	32½
Stock	Do., East Anglian Stock, No. 2 .....	100	6
Stock	Great Northern .....	100	111
Stock	Do., A Stock* .....	100	116
Stock	Great Southern and Western of Ireland .....	100	96
Stock	Great Western—Original .....	100	46½
Stock	Do., West Midland—Oxford .....	100	30
Stock	Do., do.—Newport .....	100	31
Stock	Lancashire and Yorkshire .....	100	127
Stock	London, Brighton, and South Coast .....	100	53½
Stock	London, Chatham, and Dover .....	100	19
Stock	London and North-Western .....	100	113½
Stock	London and South-Western .....	100	84
Stock	Manchester, Sheffield, and Lincoln .....	100	49½
Stock	Metropolitan .....	100	123½
Stock	Midland .....	100	119
Stock	Do., Birmingham and Derby .....	100	89
Stock	North British .....	100	33½
Stock	North London .....	100	117
10	Do., 1866 .....	5	6½
Stock	North Staffordshire .....	100	66
Stock	South Devon .....	100	47
Stock	South-Eastern .....	100	57
Stock	Taff Vale .....	100	146
10	Do., C .....	—	—

\* A receives no dividend until 6 per cent. has been paid to B.

### MONEY MARKET AND CITY INTELLIGENCE.

Thursday Night.

The week opened with merely a continuation of last week's depression. Since then, however, that depression has received an augmentation, which, in certain descriptions of foreign securi-

ties has amounted to panic. The occasion of this change has been the complexion of the Paris Bourse consequent on the position of French and Italian politics. The depression extends to Consols, as well as to the share-markets. The discount demand at the Bank is very slightly increasing. Rentes 66f. 95c. for the account.

A contemporary recently informed the public that the prize-fighters, Mace and Baldwin, were about to take counsel's opinion upon the question whether in the event of their fighting abroad their recognizances could be estreated. The *Pall Mall Gazette* of the 18th says that the opinion in question has been given, and is a very brief one—to the effect that, even if the battle did come off in France, either of the men could be taken into custody on arriving in England, for an assault on one of her Majesty's subjects towards whom they were bound in heavy sureties to keep the peace.

VICTORIA is no longer the place for men with few possessions beyond youth and energy, and with an antipathy to a high stool in a merchant's office. Let not any brilliant or laborious young Templar doubt but that Melbourne and Ballarat solicitors, like English ones, have sons and sons-in-law, and that there, as at Westminster, interests and connection are useful, if not essential, handmaids to brains and industry. Romance is at an end; capital has reasserted its sway, and pride of purse is triumphant. It needs must be so; and doubtless, on the whole, mankind gains. But it is difficult to love humanity in the abstract, and tastes and convictions will quarrel sometimes.—I am, Sir, &c., WILD ASS.—*Spectator*.

It is understood that the Royal commission, recently appointed to inquire generally into the administration of the law in the various courts of justice, will commence its sittings, under the presidency of Lord Cairns, early in November, and proceed forthwith with the examination of witnesses.

## ESTATE EXCHANGE REPORT.

### AT THE MART.

Oct. 8.—By Messrs. DEBENHAM, TEWSON, & FARMER. Freehold residence and grounds of about 3 acres, situate at Nunhead-green, Peckham, and 6 cottages adjoining—Sold for £2,400.

Leasehold, 2 houses, with shops and storehouses, Nos. 51 and 52, The Borough, Farnham, Surrey, producing £27 10s. per annum; term, 63 years from 1855, at £18 per annum—Sold for £700.

Oct. 9.—By Messrs. EDWIN FOX & BUCKFIELD. Freehold estate, known as Road-farm, Great Missenden, Bucks, comprising residence, outbuildings, and 173 acres of land—Sold for £9,000. Leasehold, 2 houses, No. 1 & 2, Park-place, Cornwall-road, Brixton-hill, producing £46 2s. per annum; also an improved leasehold ground-rent of £9 9s. per annum, arising from the 3 adjoining residences; term, 99 years from 1859, at £10 10s. per annum—Sold for £430.

Oct. 10.—By Messrs. BROAD, FRITCHARD, & WILTSHIRE. Leasehold house and shop, No. 87, London-wall, City, term 21 years from 1861 at £45 per annum—Sold for £300.

By Messrs. C. C. & T. MOORE. Leasehold house and shop, No. 15, Goldington-st, Somers-town, let at £42; term, 77 years, ground-rent £10—Sold for £410.

Leasehold, 2 residences Nos. 2 & 3, Emanuel-ter, Camberwell-rd. let at £42 per annum; term, 94 years, ground-rent £4—Sold for £400.

## BIRTHS, MARRIAGES, AND DEATHS.

### BIRTHS.

FISHER—On Oct. 15, at Harrow-on-the-Hill, the wife of W. R. Fisher, Esq., Barrister-at-Law, of a son.

LANG—On Oct. 10, at Ashlands, Crewkerne, Somerset, the wife of G. L. Lang, Esq., Solicitor, of a daughter.

### MARRIAGES.

DALLAS-FRASER—On Oct. 15, at St. John's, Notting-hill, William Dallas, Esq., Solicitor, Calcutta, to Jessie Ann, daughter of Hugh Fraser, Esq., of Calcutta, and 29, Arundel-gardens, Kensington-park, W.

PAMPHILON-YAPP—On Oct. 15, at St. Luke's, Chelsea, Frederick William Pamphilon, Esq., Solicitor, of 257, Brompton road, S.W., to Mary, daughter of Geo. Yapp, Esq., of Oakley-street, Chelsea.

### DEATHS.

BENNETT—On Aug. 12, at Ravenswood, near Sandhurst, Victoria, Australia, Harry Francis Bennett, aged 8 years, son of John Barter Bennett, Esq., Solicitor, of Melbourne.

BLACKHAM—On Oct. 11, at Maryboro', John Blackham, Esq., Barrister-at-Law.

MOODY—On Oct. 9, at his residence, 38, Onslow-square, William Moody, Esq., Barrister-at-Law, and Fellow of Trinity College, Cambridge, aged 74.

THOMSON—On Oct. 10, at Mains, Tillicoultry, Alexander Thomson, Writer to the Signet.

## LONDON GAZETTES.

### Winding-up of Joint Stock Companies

TUESDAY, Oct. 15, 1867.

### LIMITED IN CHANCERY.

Wallachian Petroleum Company (Limited).—Petition for winding up, presented Oct. 9, directed to be heard before Vice-Chancellor Malins on Nov 8. Ashurst & Co, Old Jewry, solicitors for the petitioners.

## Friendly Societies Dissolved.

TUESDAY, Oct. 15, 1867.

Old Friendly Society, Red Horse-inn, Alcester, Warwick. Oct 5.

## Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Oct. 11, 1867.

Allechin, Christopher, Finchley, Gent. Nov 10. Jones & Allechin, V. C. Wood.

TUESDAY, Oct. 15, 1867.

Gunn, Wm Hill, Leeds, Esq. Oct 29. Browning & French, V. C. Malins.

## Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, Oct. 11, 1867.

Armstrong, Hy, Ludlow, Salop, Esq. Dec 10. Fisher & Fisher, Merchant Tailors-hall.

Baker, Wm, Comberton, Cambridge, Blacksmith. Nov 30. Whitehead, Cambridge.

Butterfield, John, Gosberton, Lincoln, Grocer. Dec 31. Wiles & Chapman, Horbling.

Cood, Thos, Dover, Kent, Esq. Nov 11. Stillwell, Dover.

Cooper, Edwd, Newark-upon-Trent, Nottingham, Gent. Oct 31.

Ashley, Newark-upon-Trent.

Croucher, Wm, Queen-st, Painter. Nov 16. Lott & Rogers, Bow-lane.

Farr, Fras, Mirting, Lincoln, Esq. Dec 1. Bell, Louth.

Habgood, Thos, Barnsley, Gloucester, Farmer. Nov 1. Mullins & Co, Gloucester.

Harris, Jane, Church-st, Chelsea, Widow. Nov 23. Henderson, Leadenhall-st.

Hill, Wm, Southampton, Coal Merchant. Jan 1. Perkins, South-ampton.

Jones, Thos, Rhedynog and Abererch, Carnarvon, Merchant. Nov 20. Owen, Fwllhell.

Kiteley, Thos, Leighton Buzzard, Bedford, Market Gardener. Nov 9.

Newton, Leighton Buzzard.

Martin, Thos Shitler, Bishop's-farm, Shapwick, Dorset, Agriculturist. Nov 30. Dickinson, Poole.

Riley, Benj, Scott, sen, Bath, Somerset, Gent. Nov 20. Wright & Co, Lpool.

Spittlehouse, Ann, South Leverton, Nottingham, Spinster. Dec 18.

Marshall & Son, East Retford.

Stone, Josiah, Llawrenny-villa, Loampit hill, Upper Lewisham-rd, Esq. Dec 28. Stone, Llawrenny-villa, Loampit-hill, Upper Lewisham-rd.

Whicheo, Hy Mayle, jun, The Bays, Clapham-rd, Artist. Nov 11.

Snell, George-st, Mansion-house.

Wight, John Wight, Blakeley-hall, Northampton, Esq. Jan 8. Cooke, Towcester.

TUESDAY, Oct. 15, 1867.

Bingley, John, Scaftworth, Nottingham, Farmer. Jan 1. Cartwright & Son.

Capper, Rev John Langford, St Leonard's, Sussex, Schoolmaster. Nov 15. Jones & Blandland, Lincoln's-inn-flds.

Harding, Joseph, Watford, Hertford, Basket Maker. Nov 11. Sedgwick, Watford.

Lea, Jas, The Leigh, Gloucester, Gent. Nov 23. Jones & Richards, Gloucester.

McShane, Bryan, Birm, Salesman. Dec 25. Mahew, Birm.

Mitchell, Jas, Clayton, Sussex, Miller. Dec 1. Black & Freeman, Brighton.

Montefiore, Horatio Joseph, Westbourne-ter, Hyde-pk, Esq. Nov 12.

Sampson & Co, Finsbury-circus.

Norton, Wm Whitehead, Leicester, Licensed Victualler. Jan 10.

Haxby, Leicester.

Philippa, John Walters, Aberglanney, Carmarthen, Esq. Nov 29.

Turner & Co, Red Lion-sq.

Pitt, Thos, Broadwaters, Worcester, Gent. Nov 16. Talbot, Kidderminster.

Raven, Thos, Papplewick, Nottingham, Gent. March 25. Cartwright & Son.

Rawlinson, Wm, Manch, Beer Seller. Nov 23. Heath & Sons, Manch.

Shillito, Saml, Ranakill, Nottingham, out of business. Feb 2. Cartwright & Son.

Spatchet, Saml, Queen-st, Cannon-st, Licensed Victualler. Dec 14.

Cronin, Southampton-row, Bloomsbury.

Taylor, Jas, Nelson-ter, Stoke Newington, Esq. Nov 23. Brown & Godwin, Finsbury-pl.

Wilson, Rebecca, Temple Fortune, Handon, Widow. Nov 4. Tanqueray & Co, New Broad-st.

Wood, Alex, Bressford. Dec 14. Curtis, Guildford.

## Debts registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Oct. 11, 1867.

Ambruger, Gustavus Francis, Lpool, Merchant. Oct 8. Asst. Reg Oct 10.

Atkin, John Geo, Scarborough, York, Hotel Keeper. Sept 13. Conv. Reg Oct 10.

Baker, Thos, Newcastle-under-Lyme, Stafford, Grocer. Sept 18. Asst. Reg Oct 10.

Ball, Abraham, Macclesfield, Chester, Stationer. Oct 8. Asst. Reg Oct 11.

Blundell, Elis, & Maria Blundell, Gresham-rd, Brixton, Milliner & Sept 14. Asst. Reg Oct 11.

Booth, Geo, Clement's-lan-passage, Clare-market, Cheesemonger. Sept 16. Comp. Reg Oct 10.

Buttery, Eliash Geo, Wm Dyson, Fras Parker, & John Hellyn, Flint, Mineral Oil Manufacturers. Sept 3. Asst. Reg Oct 10.

Butler, Wm, Trafalgar-ter, High-st, Lower Norwood, Carman. Sept 17. Comp. Reg Oct 9.

Butler, Jas Robt, Osborn-pl, Whitechapel, Wholesale Perfumer. Oct 9. Comp. Reg Oct 10.

- Chapman, Robt, & Alfd Toyns, Manch, General Warehouseman. Sept 13. Comp. Reg Oct 10.
- Clay, Chas, & John Webb, Manch, Trimming Merchants. Sept 20. Asst. Reg Oct 10.
- Crowe, Saml, Newcastle-under-Lyme, Stafford. Sept 18. Asst. Reg Oct 8.
- Cunningham, Wm Goodall, Runcorn, Chester, Draper. Sept 23. Asst. Reg Oct 8.
- Dale, Ann, Scholar Green, Chester, Dress Maker. Oct 2. Asst. Reg Oct 10.
- Dale, John, jun, Scholar Green, Chester, Furnace-man. Oct 2. Asst. Reg Oct 10.
- Dawson, Wm Hy, Kingston-upon-Hull, Ironmonger. Sept 30. Comp. Reg Oct 11.
- Debank, Robt, Broken Cross, nr Macclesfield, Chester, Potato Dealer. Oct 4. Comp. Reg Oct 10.
- Dore, Jas Taylor, Southampton, Draper. Sept 12. Comp. Reg Oct.
- Edwards, Isaac, Macclesfield, Chester, Provision Dealer. Oct 7. Comp. Reg Oct 11.
- Elliott, Roscius, Leeds, Fishmonger. Sept 30. Comp. Reg Oct 10.
- Fraser, Wm Marrow Sutherland, Summer-hill, Denbigh, Surveyor. Sept 12. Asst. Reg Oct 10.
- Fry, Hy, Sudbury, Suffolk, Draper. Sept 12. Asst. Reg Oct 10.
- Garner, Chas, Ashton-under-Lyne, Lancaster, Hosier. Sept 16. Asst. Reg Oct 10.
- Gillard, Wm Edwd, Bradford, York, Printer. Oct 8. Comp. Reg Oct 10.
- Haddfield, Wm, Manch, Spinner. Sept 11. Asst. Reg Oct 8.
- Happy, John Walker, Kingston-upon-Hull, Hosier. Sept 26. Comp. Reg Oct 9.
- Harrison, Chas Weightman, Oberstein-rd, New Wandsworth, Engineer. Sept 28. Asst. Reg Oct 11.
- Harvey, John, Berkeley-sq, Doctor of Medicine. Oct 1. Comp. Reg Oct 11.
- Hawkey, Pearse, Fenzance, Cornwall, Ironmonger. Sept 28. Comp. Reg Oct 11.
- Hobgen, Gravatt Smith Ralph, Littlehampton, Sussex, Attorney's Clerk. Sept 30. Comp. Reg Oct 10.
- Howarth, Richd, Manch, Mat Maker. Sept 18. Comp. Reg Oct 10.
- Joubert, Jules, Percy-st, Bedford-sq, Cabinet Maker. Oct 8. Comp. Reg Oct 9.
- Knowles, Chas, Lincoln, Coach Builder. Sept 20. Asst. Reg Oct 11.
- Lamb, Joseph, West Hartlepool, Durham, Builder. Sept 12. Asst. Reg Oct 10.
- Law, Joseph Woolas, Rotherham, York, Draper. Sept 14. Asst. Reg Oct 11.
- Leftwich, John, Bedford-pl, Commercial-rd East, Cheesemonger. Sept 24. Comp. Reg Oct 11.
- Lyons, Edwd Emanuel, Colchester, Essex, Hardwareman. Oct 4. Comp. Reg Oct 11.
- Manners, Alfred, Westbromwich, Stafford, Oil Merchant. Oct 9. Comp. Reg Oct 10.
- Marten, Hy John, Parkfield Iron Works, Wolverhampton, Stafford, Ironmaster. Oct 10. Comp. Reg Oct 11.
- McKay, Peter, Workington, Cumberland, Grocer. Oct 2. Comp. Reg Oct 11.
- McRae, Geo, Tredegar Nursery, Bow, Fruitler. Oct 5. Comp. Reg Oct 5.
- Milne, David, Smith's-ter, Hornsey-rd, Paper Hanging Dealer. Sept 16. Comp. Reg Oct 10.
- Newman, Chas, Redland, Bristol, Painter. Sept 12. Comp. Reg Oct 9.
- Overton, Wm, Walsall, Stafford, Coal Merchant. Oct 7. Comp. Reg Oct 10.
- Parvin, Thos, West Hartlepool, Durham, Tailor. Sept 25. Comp. Reg Oct 11.
- Peadleton, Chas, Chipping Norton, Oxford, Stationer. Oct 1. Comp. Reg Oct 10.
- Phoby, John, Pierrepont-ter, Upper-st, Islington, Ham Dealer. Oct 4. Comp. Reg Oct 10.
- Pickering, Wm, Aston, Warwick, Licensed Victualler. Sept 28. Asst. Reg Oct 10.
- Poock, Edwd, St Martin's-lane, Artist. Oct 7. Comp. Reg Oct 10.
- Porter, Hy, & Geo Thos Porter, Leicester, Smallware Dealer. Oct 7. Comp. Reg Oct 9.
- Raisbeck, Thos, Grandy-st, Poplar, Gasfitter. Oct 8. Comp. Reg Oct 11.
- Ranger, Franklin, Pear Tree-ter, Holloway-rd, Ironmonger. Sept 18. Asst. Reg Oct 10.
- Rawling, Wm, Filey, York, Whitesmith. Sept 11. Asst. Reg Oct 9.
- Russell, Jas, Birm, Merchant. Sept 23. Comp. Reg Oct 11.
- Siddall, Edwd, Ashton-under-Lyne, Lancaster, Innkeeper. Sept 14. Comp. Reg Oct 10.
- Stanbrough, Geo Chas, Roman-ter, Roman-rd, North Bow, Cheesemonger. Sept 20. Comp. Reg Oct 10.
- Treadwell, Richd, The Grove, New Wandsworth, Civil Service Clerk. Sept 18. Comp. Reg Oct 11.
- Truslow, Hy, jun, Alexander-ter, Plough-rd, Rotherhithe, Government Contractor. Oct 9. Comp. Reg Oct 10.
- Walker, Wm, sen, Runcorn, Chester, Bookseller. Sept 12. Comp. Reg Oct 10.
- Watson, John, Gt Queen's-st, Lincoln's-inn-fields, Glass Merchant. Oct 1. Comp. Reg Oct 9.
- White, Philip, White Hart-st, Drury-lane, Licensed Victualler. Oct 4. Asst. Reg Oct 10.
- Wilmot, Chas, Newington Batle, Ironmonger. Sept 26. Comp. Reg Oct 11.
- Claybrough, John, Halifax, York, Hosier. Sept 19. Asst. Reg Oct 12.
- Cooke, Grace, & Christiana Wescombe, Neath, Glamorgan, Grocers. Sept 16. Asst. Reg Oct 14.
- Crossley, Thos, John Crossley, & Geo Crossley, Halifax, Dyers. Sept 21. Comp. Reg Oct 12.
- Dale, John, Scholar-green, Chester, Labourer. Oct 7. Asst. Reg Oct 15.
- Dennis, Lewis, Lowndes-ter, Knightsbridge, Draper. Oct 5. Asst. Reg Oct 15.
- Dixon, Fras, Sunderland, Durham, Shipowner. Sept 16. Asst. Reg Oct 12.
- Dunns, Geo Allan, Lpool, Contractor. Sept 26. Comp. Reg Oct 12.
- English, Wm, Gateshead, Durham, Cabinet Maker. Oct 8. Comp. Reg Oct 11.
- Gregory, Wm, Essex-rd, Islington, Grocer. Oct 1. Asst. Reg Oct 14.
- Harrison, Hy, Kingston-upon-Hull, Woollen Draper. Sept 14. Comp. Reg Oct 12.
- Harris, Joseph, West Hartlepool, Durham, Travelling Jeweller. Sept 20. Comp. Reg Oct 14.
- Hardy, Edmd Pearmeth, Leeds, Carver. Oct 11. Comp. Reg Oct 12.
- Hart, Hy Chapman, Beaufert-buildings, Strand, Auctioneer. Sept 20. Comp. Reg Oct 14.
- Harvey, Hy, Birm. Sept 27. Asst. Reg Oct 14.
- Hayman, Geo Mullings, Drewsteignton, Devon, Accountant. Oct 2. Asst. Reg Oct 14.
- Hesmalhalch, Richd, Leeds, Millwright. Oct 1. Asst. Reg Oct 14.
- Hicks, Fredk Hy, Jewin-ot, Cripplegate, Importer of Artificial Flowers. Sept 24. Comp. Reg Oct 14.
- Holt, Wm Ellis, Church, Lancaster, Cotton Manufacturer. Oct 4. Comp. Reg Oct 15.
- Hunter, Richd, & Hy Hunter, New Sheldon, Durham, Grocers. Sept 30. Comp. Reg Oct 15.
- Hutton, Thos, Brackley, Northampton, Victualler. Oct 12. Asst. Reg Oct 15.
- Hyman, Myer, Lpool, Outfitter. Oct 3. Comp. Reg Oct 12.
- Kinsman, Danl, Devonport, Devon, Coppermith. Oct 9. Comp. Reg Oct 14.
- Laurie, John, Manch, Wine and Spirit Merchant. Sept 30. Comp. Reg Oct 14.
- Lomas, John Lane, & Edwd Hy Lomas, Birm, Tin-plate Workers. Sept 25. Asst. Reg Oct 14.
- Metcalf, Hy, King's Lynn, Norfolk, Grocer. Sept 18. Asst. Reg Oct 14.
- Milburn, Jas, Shrubland-grove, Dalston, Merchant. Oct 3. Comp. Reg Oct 15.
- Mordecai, Zalie Morris, St James's-pl, Aldgate, out of business. Oct 4. Comp. Reg Oct 11.
- Motley, Thos, North Shields, Northumberland, Butcher. Sept 16. Asst. Reg Oct 14.
- Mundy, Wm, Hereford-pl, Commercial-rd, Grocer. Sept 13. Comp. Reg Oct 11.
- Nicholls, Hy, Somerset House, Clerk in Civil Service. Sept 21. Comp. Reg Oct 14.
- Pearce, Richd, Stonehouse, Gloucester, Carpenter. Oct 2. Asst. Reg Oct 12.
- Perkins, Alfred Walter, Sandown, Isle of Wight, Grocer. Oct 3. Asst. Reg Oct 14.
- Porteous, John, Choriton-en-Medlock, Manch, Builder. Oct 11. Comp. Reg Oct 12.
- Randle, John Wm, Trafalgar-yd, Charles-st, Livery Stable Keeper. Oct 2. Comp. Reg Oct 15.
- Richards, Wm, Aston-juxta-Birmingham, Maltster. Sept 28. Asst. Reg Oct 14.
- Richardson, Joseph, Thorne, York, Grocer. Sept 25. Asst. Reg Oct 11.
- Rodwell, Jas, Sittingbourne, Kent, Carpenter. Oct 9. Asst. Reg Oct 14.
- Royle, John Hy, Hanley, Stafford, Beerseller. Sept 23. Comp. Reg Oct 11.
- Smith, Sarah, Doncaster, York, Widow. Oct 9. Comp. Reg Oct 14.
- Strange, Fredk, York-ter, Regent's-pk, Esq. Oct 11. Comp. Reg Oct 12.
- Swainson, John, & Geo Swainson, Lpool, Cotton Brokers. Oct 12. Inspectorship. Reg Oct 15.
- Tarpies, Georger, & Wm Thos Gardner, Birm, Timber Dealers. Sept 26. Comp. Reg Oct 15.
- Thomas, Wm, Wolverhampton, Stafford, Seedsman. Sept 27. Comp. Reg Oct 14.
- Townsend, Wm, Dewsbury, York, Wool Dealer. Oct 3. Asst. Reg Oct 14.
- Upham, Geo Edwd, Russell House, Hampstead, Gent. Sept 30. Comp. Reg Oct 11.
- Upham, Elis Anne, & Fanny Upham, Windsor House, Hampstead, School Proprietors. Aug 28. Comp. Reg Oct 14.
- Whitaker, Philip Houghton, & Alfred Boyes, Lpool, Comm Merchants. Sept 24. Comp. Reg Oct 14.
- Wormald, Wm, Cleckheaton, York, Grocer. Oct 3. Comp. Reg Oct 14.
- Wright, Thos, Birm, Draper. Sept 24. Comp. Reg Oct 15.

## BANKRUPTS.

FRIDAY, Oct. 11, 1867.

To Surrender in London.

- Arnold, David, Luton, Bedford, Straw Plait Dealer. Pet Oct 9. Rochoe Oct 29 at 1. Edwards, Bush-lane, Cannon-st.
- Bale, Louis Benj, & Wm Hy Bale, Borough-rd, Drapers. Pet Sept 28. Oct 29 at 11. Sole & Co, Aldermanbury.
- Booth, Wm Jones, Graton-st, Mile-end-rd, Clerk. Pet Oct 9. Rochoe Oct 29 at 12. Abbott, Worship-st, Finsbury.
- Brain, Theophilus Alfred, Prisoner for Debt, London. Pet Oct 7 (for paup). Rochoe Oct 24 at 12. Wells, Basinghall-st.
- Brown, Alfred, Fugglestone St Peters, Salisbury, Wilts, Builder. Pet Oct 8. Rochoe Oct 24 at 1. Jones, New-inn, Strand.
- Bruton, Chas, Stanhope-st, Hampstead-rd, Attorney. Pet Oct 8. Rochoe Oct 29 at 12. Pook, Lawrence Fountainey-hill.

## TUESDAY, Oct. 15, 1867.

- Adams, Robt Seymour, Lymington, Southampton, Surgeon. Oct 9. Comp. Reg Oct 14.
- Bates, Edwin, Buckland, Dover, Grocer. Sept 16. Comp. Reg Oct 11.
- Binks, Rebecca, Leeds, Provision Dealer. Oct 14. Comp. Reg Oct 15.
- Brooksburn, Mary, Leek, Stafford, Clothier. Sept 16. Asst. Reg Oct 14.
- Bull, Chas Thos, Park-rd, Dalston, Comm Agent. Sept 28. Comp. Reg Oct 15.
- Burnas, Thos, Turwestone, Buckingham, Shoemaker. Oct 3. Comp. Reg Oct 15.



Kelsall, Wm, Newcastle-under-Lyme, Stafford, Grocer. Pet Oct 5.  
Slaney, Newcastle-under-Lyme, Oct 25 at 11. Brown, Newcastl-  
under-Lyme.

Killpatrick, Thos Edwd, Sheerness, Kent, Smith. Pet Oct 8. Waters,  
Sheerness, Oct 25 at 12. Willis, Sheerness.

Lamb, Christopher Tarn, Crook, Durham, out of business. Pet Oct 7.  
Trotter, Bishop Auckland, Oct 25 at 2. Marshall, Jun, Durham.

Lewis, Jas, Cheltenham, Gloucester. Pet Oct 9. Wilde, Bristol, Oct  
23 at 11. Potter, Cheltenham.

Linlin, Bevan, Bracebridge, Lincoln, Labourer. Pet Oct 7. Uppley,  
Lincoln, Oct 23 at 11. Gorbale & Larken, Lincoln.

Maxwell, Carter Maxwell, Leeds, Clothier. Pet Oct 10. Leeds, Oct 23  
at 11. North & Sons, Leeds.

Myers, Geo Wilkinson, Jarrow, Durham, Journeyman Mason. Pet Oct  
8. Wawn, South Shields, Oct 23 at 12. Maxwell & Moore, South  
Shields.

Oswin, Lucy, Sieby, Leicester, Milliner. Pet Oct 8. Brook, Lough-  
borough, Oct 22 at 11. Deane, Loughborough.

Phillips, Walter, Birmingham, Manufacturer's Clerk. Pet Oct 8. Guest, Bir-  
mingham, Nov 1 at 10. Assindie, Birmingham.

Ravencroft, Richd, Wetsenhall, nr Winsford, Chester, Farmer. Pet  
Oct 7. Lpool, Oct 24 at 12. Cartwright, Chester.

Reed, Hy, Brighton, Sussex, out of business. Pet Oct 4. Everard,  
Brighton, Oct 23 at 11. Runcles, Brighton.

Reid, John, Wolverhampton, Stafford, Travelling Draper. Pet Oct 3.  
Brown, Wolverhampton, Oct 29 at 12. Langman, Wolver-  
hampton.

Scott, Wm, Newcastle-upon-Tyne, Ship Broker. Pet Oct 9. Gibson,  
Newcastle-upon-Tyne, Oct 24 at 12. Bousfield, Newcastle-upon-  
Tyne.

Serviss, Thos, Neash, Glamorgan, Process Server. Pet Oct 5. Morgan,  
Neath, Oct 31 at 11. Morris, Swansea.

Skidmore, Edwd, West Smethwick, Stafford, Labourer. Pet Oct 4.  
Watson, Stafford, Oct 21 at 11. Shakespeare & Martell, Oldbury.

Stafford, Chas, Jun, Bristol, Comm Agent. Pet Oct 8. Wilde, Bristol,  
Oct 23 at 11. Roper, Bristol.

Thorpe, John, Manch, Comm Agent. Pet Oct 7. Hulton, Salford,  
Oct 26 at 9.30. Stoner, Manch.

Tidmarsh, John, Epsom, Beerhouse Keeper. Pet Oct 5. Haw-  
kins, Woodstock, Oct 25 at 10. Kilby, Banbury.

Watkin, Jas, Wellingtonborough, Northampton, Shoemaker. Pet Oct 9.  
Burnham, Wellingtonborough, Oct 23 at 11. Cook, Wellingtonboro-

Weare, Geo, Gillingham, Dorset, Miller. Pet Oct 2. Exeter, Oct 23  
at 12. Clarke, Exeter.

Welch, John, Newcastle-upon-Tyne, Fish Dealer. Pet Oct 8. Gibson,  
Newcastle-upon-Tyne, Oct 24 at 12. Keenlyside & Foster, Newcastle-upon-  
Tyne.

Williams, Saml, East Dean, Gloucester, Stone-mason. Pet Oct 7. Bur-  
rump, Newnham, Oct 23 at 10. Gould, Newnham.

Williams, Fanny, Pembroke, Licensed Victualler. Pet Oct 9.  
Wilde, Bristol, Oct 23 at 11. Salmon, Bristol.

Wilkinson, Wm, Bishop Wearmouth, Durham, Cab Driver. Pet Oct 8.  
Marshall, Sunderland, Oct 29 at 12. Robinson, Sunderland.

**TUESDAY, OCT. 15, 1867.**

To Surrender in London.

Cook, John, Foxley-rd, Camberwell New-rd, Chandler's-shop Keeper  
Pet Oct 11. Roche. Oct 30 at 11. Chalk, Moorgate-st.

Cross, Lewis Philip, Waterloo-ter, Commercial-rd East, Grocer. Pet  
Oct 11. Roche. Oct 30 at 12. Terrell & Co, Basinghall-st.

Fitt, Wm E., North Walsham, Norfolk, Jeweller. Pet Oct 2. Roche.  
Oct 29 at 11. Spyer & Son, Winchester-house, Old Broad-st.

Horell, Wm, City, Furniture-maker, Furniture Broker. Pet Oct 12.  
Roche. Oct 29 at 12. Nottley, Trinity-st, Southwark.

Jordan, John, Prisoner for Debt, London. Pet Oct 10 (for pan). Roche.  
Oct 30 at 11. Kimber, Winchester-st-bdgs.

Kotze, Fredk Jas, Belmont-cottage, Upper Norwood, Law Student.  
Pet Oct 8. Roche. Oct 30 at 11. Roberts, Moorgate-st.

Lemberger, Vincent, Air-st, Piccadilly, Hotel Keeper. Pet Oct 11.  
Roche. Oct 29 at 11. Angell, Guildhall-yard.

Newport, Wm, Edenbridge, Kent, Farmer. Pet Oct 12. Roche. Oct  
30 at 12. Tattershall, St James-st, Bedford-row.

North, Wm, Richmond-st, Barnsbury, Brewer. Pet Oct 12. Roche.  
Oct 30 at 12. Parkes, Benfurl-bdgs, Strand.

Sampter, Wm Thos, City-rd, Statuary. Pet Oct 10. Roche. Oct 29  
at 1. Pearce, Giltspur-st.

Torlot, Pierre Francois Nonaventre, Dudley-st, Soho, Licensed Vi-  
tualler. Pet Oct 11. Roche. Oct 29 at 11. Merriman & Buskland,  
Queen-st, Chelsea.

Wooster, Geo, Billingsgate Market, Fish Salesman. Pet Oct 11. Roche.  
Oct 30 at 11. Beard, Basinghall-st.

To Surrender in the Country.

Atkin, Thos, York, Shopkeeper. Pet Oct 11. Perkins, York, Oct 29  
at 11. Mann, York.

Bee, Jem Brampton, Cumberland, Butcher. Pet Oct 8. Leo. Bramp-  
ton, Oct 29 at 12. McAlpin, Carlisle.

Blanks, Robt, Essex, Gunmaker. Adj Oct 7 (for pan). Codd. Maldon,  
Oct 26 at 3. Jones, Chelmsford.

Brown, Thos, Lpool, Provision Dealer. Pet Oct 9. Lpool, Oct 23 at  
11. Beat, Lpool.

Butler, Hy, Southwell, Nottingham, Plumber. Pet Oct 11. Newton,  
Newark, Oct 23 at 12. Ashley, Newark.

Carter, Josse, Artillery, Monmouth, Grocer. Pet Oct 10. Shepherd,  
Tredgar, Nov 8 at 12. Simons & Flewa, Merthyr.

Carr, Chas, Hen-l-pool, out of business. Pet Oct 11. Lpool, Oct 23  
at 12. Price, Lpool.

Catford, Hy Jephthah, Clevedon, Somerset, Watch and Clock Maker.  
Pet Oct 12. Wilds, Bristol, Oct 26 at 11. Miller, Bristol.

Cliff, Saxal Marshall, & Jas Roberts, Holbeck, Leeds, Gil Pin Manu-  
facturers. Pet Oct 12. Leeds, Oct 23 at 11. Markland & Davy,  
Leeds.

Cookerslee, Thos Delver, Banbury, Oxford, Root Maker. Pet Oct 12.  
Fortescue, Banbury, Oct 20 at 10. Pellatt, Banbury.

Cook, John, Jarrow, Durham, Draper. Pet Oct 7. Gibsons, New-  
castle-upon-Tyne, Nov 1 at 11.30. Cook, Newcastle-upon-Tyne.

Cox, John, Wotton-under-Edge, Gloucester, Beer Retailer. Pet Oct 9.  
Franchillon, Dursley, Oct 23 at 11. Thick, Bristol.

Cram, Geo, Tetford, Lincoln, Mechanician. Pet Oct 11. Clitherow,  
Hornacote, Nov 2 at 11. Brackenbury, Alford.

Davies, Wm, Carnarvon, Potter. Pet Oct 5 (for pau). Williams. Carnarvon, Nov 13 at 10. Turner, Carnarvon.  
 Delphin, Wm, Brompton, or Chesterfield, Derby. Mason. Pet Oct 12.  
 Wake, Chesterfield, Nov 4 at 11. Binney & Son, Sheffield.  
 Entwistle, Thos Geo, Manch, Booking Clerk. Pet Oct 12. Hulton.  
 Salford, Oct 26 at 9.30. Stringer, Manch.  
 Flah, Geo, Manch, Musician. Pet Oct 11. Kay. Manch, Nov 5 at 9.30.  
 Boote & Rylance, Manch.  
 Fletcher, Chas, Chipping Wycombe, Buckingham, Chair Polisher. Pet Oct 4. Parker. High Wycombe, Oct 25 at 11. Spicer, Gt Marlow.  
 Gardner, John Grabham, Bristol, Baker. Pet Oct 10. Harley. Bristol, Nov 1 at 12. Roper.  
 Gardner, Thos, Prisoner for Debt, Bristol. Adj Oct 9 (for pau). Harley. Bristol, Nov 1 at 12.  
 Garstang, Wm Clarkson, Lpool, Tallow Chandler. Pet Oct 12. Lpool, Oct 28 at 11. Blackhurst, Lpool.  
 Goodwin, Jas, Prisoner for Debt, Stafford. Adj Oct 10. Tudor. Birm, Oct 24 at 12. James & Griffin, Birm.  
 Hall, Hy, Hampreston, Dorset, Baker. Pet Oct 11. Rawlins. Wimborne Minster, Oct 25 at 11. Tanner, Wimborne Minster.  
 Harrison, Robt, Prisoner for Debt, Aylesbury. Pet Sept 25. Watson. Aylesbury, Oct 26 at 10. Clarke, Aylesbury.  
 Harvey, David, Swinton-common, or Rotherham, York, Beerhouse Keeper. Pet Oct 11. Hoyle. Rotherham, Nov 4 at 3. Willis, Rotherham.  
 Hendley, Hy, Sodeley, Stafford, Boat Builder. Pet Oct 11. Walker. Dudley, Nov 1 at 12. Sheldon, Wednesbury.  
 Heskeith, Wm, Manch. Pet Oct 12. Hulton. Salford, Oct 26 at 9.30. Smith, Manch.  
 Honkes, Wm Geo, Radstock, Somerset, Saddler. Pet Oct 8. Messiter. Frome, Oct 22 at 12. Nalder, Shepton Mallet.  
 Jeffery, Fras, Prisoner for Debt, Bristol. Adj Oct 12. Wilde. Bristol, Oct 26 at 11.  
 Knill, Wm, Prisoner for Debt, Kingston-upon-Hull. Pet Oct 11 (for pau). Phillips. Kingston-upon-Hull, Oct 20 at 11. Ayre, Hull.  
 Langston, Reginald, Manch, Yarn Agent. Pet Oct 10. Macrae. Manch, Oct 31 at 12. Sale & Co, Manch.  
 McAllister, Edwd, Whitehaven, Cumberland, Warehouseman. Pet Oct 11. Were. Whitehaven, Oct 31 at 11. Mason, Whitehaven.  
 Mills, John, Brighton, Grocer. Pet Oct 10. Evershed. Brighton, Oct 30 at 11. Mills, Brighton.  
 Neale, Edwd, Bleasby, Nottingham, Brewer. Pet Oct 10. Newton. Newark, Oct 23 at 12. Ashley, Newark.  
 Neill, John, Manch, Joiner. Pet Oct 10. Kay. Manch, Nov 5 at 9.30. Stringer, Manch.  
 Parkes, Joseph Fras, Boreham, Essex, Wheelwright. Pet Sept 20. Gepp. Chelmsford, Oct 25 at 11. Stevens, Witham.  
 Pascoe, Jas, Devonport, Devon, Labourer. Pet Sept 24 (for pau). Daw. Exeter, Oct 25 at 11. Floud, Exeter.  
 Phillips, Robt Turner, Bristol, Beerhouse Keeper. Pet Oct 9. Harley. Bristol, Nov 1 at 12. Benson.  
 Freese, Jas, Dudley, Worcester, Tailor. Pet Sept 19. Walker. Dudley, Nov 1 at 12. Burnham, Dudley.  
 Rice, Josiah, Birm, out of business. Pet Oct 10. Guest. Birm, Nov 1 at 10. Sargent, Birm.  
 Richards, John Wreford, Newton Abbot, Devon, Baker. Pet Sept 24. Pidsley. Torquay, Oct 26 at 11. Floud, Exeter.  
 Senecald, Robt, Spittlegate, Lincoln, Grocer. Pet Oct 11. Thompson. Grantham, Oct 29 at 11. Malin, Grantham.  
 Shattenberg, Fredk, Kingston-upon-Hull, Boot Maker. Pet Oct 12. Phillips. Kingston-upon-Hull, Oct 26 at 12. Sammers, Hull.  
 Smith, David, Prisoner for Debt, Stafford. Adj Oct 10. Tudor. Birm, Oct 25 at 12. James & Griffin, Birm.  
 Stedman, Saml Stevens, Kivver, Stafford, no occupation. Pet Oct 11. Harward. Stourbridge, Oct 29 at 10. Pearman, Stourbridge.  
 Stevens, John, jun, Frome, Somerset, Saddler. Pet Oct 11. Messiter. Frome, Oct 26 at 11. Dunn, Frome.  
 Taylor, David, Coventry, Watch Manufacturer. Pet Oct 10. Kirby. Coventry, Oct 29 at 3. Davie, Coventry.  
 Ward, Anthony, Northallerton, York, Farmer. Pet Oct 14. Leeds, Oct 28 at 11. Harle, Leeds.  
 Watte, Thos, Cwmllward, Radnor, Shoe Maker. Pet Oct 9. Green. Presteigne, Oct 22 at 12. Stephens, Presteigne.  
 Whittner, Wm, Meriden, Warwick, Grocer. Pet Oct 8. Kirby. Coventry, Oct 29 at 3. Smallbone, Coventry.  
 Williams, Geo, Lpool, Book-keeper. Pet Oct 8. Hime. Lpool, Oct 25 at 3. Eddy, Lpool.  
 Winterfield, Geo, Lpool, Comm Agent. Pet Sept 30. Lpool, Oct 28 at 11. Whitley & Maddock, Lpool.  
 Tonens, John, Gt Marlow, Bucks, Basket Maker. Pet Oct 4. Parker. High Wycombe, Oct 25 at 11. Spicer, Gt Marlow.

## BANKRUPTCY ANNULLED.

FRIDAY, Oct. 11, 1867.

Reddin, Edwd, Holland-pk-rd, Kensington, Horse Dealer. Oct 9.

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